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The 27th Legislature
Third Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta
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	Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC), Minister of Health and Wellness, Deputy Government House Leader

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Legislative Assembly of Alberta

1:30 p.m.

Wednesday, April 14, 2010

[The Speaker is in the chair]

Prayers

The Speaker: Welcome.

Let us pray. We give thanks for Your abundant blessings to our province and to ourselves. We ask for Your guidance with our deliberations in our Chamber and the will to follow it. Amen.

Please be seated.

Introduction of Guests

The Speaker: The hon. the Premier.

Mr. Stelmach: Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members a long-time journalist here at the Alberta Legislature. I think he's still trying to get through the X-ray equipment to sit in the gallery. I'm sure that most members would know Jim Macdonald, who is retiring soon after a long and storied career in the news media. The role of the news media is very important. It's an important one in our society. They are the eyes and ears of the public for all of the lawmakers here in the Assembly. They ensure that we're accountable for the decisions we make. Reporters are also an important part of the democratic process both here and in free countries around the world.

Here at the Alberta Legislature we have a group of reporters in the press gallery whose job it is to report on the activities of the government and of the opposition parties, and of those, Jim Macdonald is the dean of the press gallery in Alberta. He first joined the Legislature press gallery in 1983, just shortly after you did, Mr. Speaker. He's well connected, well informed. As the recipient of many of his questions Jim is one of the most determined reporters I've ever encountered, sometimes finding a half dozen ways to ask the same question.

Jim wears many hats in this building. He's a reporter. He's the guy who has yelled at a lot of cabinet ministers. A social convener, he organizes the annual press gallery golf tournament. He puts together the annual press gallery Christmas party, which is one of the hottest social tickets in town. Indeed, because of the Christmas party Jim is single-handedly responsible for more bad comedy skits on videotape than any other person in Alberta history. I dare say the press gallery and, in fact, the Legislature won't be the same without Jim's booming voice echoing down the halls.

I know all members wish Jim well in his retirement, and we thank him for many years of service in the media and service to Albertans. When Jim's colleagues and friends give him a proper send-off – and I'm sure they will – I'd ask to be invited so I have an opportunity to go off the record with him.

He is seated in the gallery and is joined by his wife, Bernadette DeSantis, and his children, Jake and Erin. I'd like them to all rise and receive the warm traditional welcome of this Assembly. [Standing ovation]

The Speaker: The hon. Minister of Transportation.

Mr. Ouellette: Well, thank you, Mr. Speaker. It gives me great honour today to rise to introduce to you and through you to all members of this Assembly a group of very bright individuals from my constituency of Innisfail-Sylvan Lake. We have with us today 90 grade 6 students from Fox Run school in Sylvan Lake, who are seated in the members' gallery. They are accompanied by their

teachers and parent helpers, and I'd like to thank them very much for bringing the children up here today. As I've said many times before, I think it is so important for Alberta children to visit the Legislature. As you know, they will be the leaders of tomorrow. I would ask them to all rise in the gallery and get the warm welcome of this Assembly.

The Speaker: The hon. Minister of Health and Wellness.

Mr. Zwozdesky: Thank you very much, Mr. Speaker. It's my great pleasure to introduce to you and through you to all members of the Assembly some very special individuals who this past weekend participated in Alberta's first-ever Stick It to Alzheimer's hockey fundraiser as part of the Scotiabank Pro-Am in support of Alzheimer's research and treatment programs. It was my pleasure to referee the final game on Sunday, April 11, in St. Albert and to have participation as well from the hon. members for Edmonton-Meadowlark, Edmonton-Beverly-Clareview, West Yellowhead, Calgary-Hays, Athabasca-Redwater, and elsewhere.

Numerous NHL all-stars were there to help glorify the occasion, and I would like to introduce some of them who have joined us here today and earlier today made a special presentation to our Premier. Would they please rise as I call their names, and then we'll applaud all of them at the end: Mr. Brian Benning, Mr. Al Hamilton, Mr. Dave Lumley, and the legendary Glenn Hall. Joining them is an amazing goaltender from the U of A Golden Bears alumni who himself raised an enormous amount of money along with Greg Christenson and numerous other people, Mr. Derek Shybunka. These good folks and a number of colleagues and other Edmontonians and surrounding area people helped raise a record number for Canada of over \$1 million. Let us thank them and applaud them. Thank you, gentlemen. The game ended in a tie, which calls for a rematch next year.

Mr. Speaker, it's also my pleasure to introduce to you and through you a number of guests that are visiting Alberta and Canada for the very first time. They are students from the Lviv Classical Gymnasia in Ukraine, which translates as Lviv classical school. They are here as part of an exchange program which Alberta is proud to have with Ukraine and with our Ukrainian bilingual students from Balwin and from M.E. LaZerte here in Edmonton. They are accompanied by their teacher, Yuriy Dzala, who is also the principal, and Hanna Vatseba, who is a teacher, and by local teachers Luba Eshenko and Tetyana Kachenjuk and local consultant Melody Kostiuk. There are 16 students with their helpers and other exchange people. I would ask all of them to rise and receive a thunderous Canadian and Alberta welcome. [Remarks in Ukrainian]

[Translation] I would ask you all to please rise. [As submitted]

The Speaker: The hon. Member for Athabasca-Redwater.

Mr. Johnson: Thank you, Mr. Speaker. It's a great pleasure to rise and introduce to you and through you to members of this Assembly a group of true heroes seated in your gallery. Although I will speak in a moment in a member's statement about the Honours and Awards Investiture at Edmonton Garrison, I'd like to ask some of the recently decorated soldiers that are here with us today to rise and remain standing while I introduce them: Sergeant Matthew Pronk, who received the Mention in Dispatches, which recognizes valiant conduct, devotion to duty, or other distinguished services; Warrant Officer Derek Thompson, who was also awarded the Mention in Dispatches as well as the Chief of the Defence Staff Commendation, which is awarded to those who perform a deed or activity beyond the demands of normal duty and under exceptional circumstances; Warrant Officer Robin Crane, who is also a previous recipient of the

Mention in Dispatches as well as the Chief of the Defence Staff Commendation and the Medal of Military Valour, which is awarded for an act of valour or devotion to duty in the presence of the enemy.

Others who were also awarded the Chief of the Defence Staff Commendation are Captain Johnathan Hallett, Warrant Officer Kirby Vincent, Sergeant Mike Van Den Broek, and Master Corporal Kyle Ho. Warrant Officer David Shultz is a recipient of the Chief of the Defence Staff Commendation and the Star of Military Valour for distinguished and valiant service in the presence of the enemy.

Accompanying the soldiers are Edmonton Garrison base commander, our friend Lieutenant-Colonel Tom Bradley, and Regimental Sergeant Major Keith Jones as well as Corporal Kelly Thompson, the wife of Warrant Officer Thompson; Maggie, the wife of Master Corporal Ho; and Sharon, the wife of Sergeant Pronk.

Mr. Speaker, I'm pleased these folks took the time to have lunch today with me and the Minister of Justice and Attorney General along with hockey legend Glenn Hall. I know all of my colleagues will join me in thanking and congratulating these great Albertans and Canadians with the traditional warm welcome of this Assembly. [Standing ovation]

1:40

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

Mr. Bhullar: Thank you very much, Mr. Speaker. It's indeed an honour for me to rise and introduce a great number of people, but I'll start, sir, with two folks that I look up to and respect immensely. The first is Major Harpal Singh Mandaher, who is the regimental major of the Princess Patricia's Canadian Light Infantry here in Edmonton. The second is Major Harjit Sajjan, who is with the B.C. regiment. They both have risen. I welcome you both to the Assembly and ask members to give them the traditional warm welcome.

Next, Mr. Speaker, it's my pleasure to introduce a series of individuals from Calgary here to celebrate the first-ever Vaisakhi celebration at the Alberta Legislature, the first of which is Mr. Hardyal Singh Mann from the Council of Sikh Organizations, Mr. Avtar Rehill, Mr. Harjit Singh Saroya, and Mr. Joginder Singh Parmar. Next, Mr. Speaker, from different media sources in Calgary we have Mr. Ranjit Singh Sidhu, Jagpreet Singh Shergill, and Suvinder Singh Gill. From the Dashmesh cultural centre seniors' organization Mr. Sukhdev Singh Khera, Mr. Jaspal Singh Sindhu, Jagmel Singh Mallhi, Lachsman Singh Pandher as well as Mr. Avtar Klair, Satinder Singh, Sewa Singh, and, lastly but not least, my grandfather Mr. Jagir Singh Bhullar and my father, Baljinder Singh Bhullar. They've all risen. I ask the Assembly to give them a warm welcome.

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

Mr. Sandhu: Thank you, Mr. Speaker. Today we celebrate Vaisakhi for the first time in the Legislature, which I will speak more about in my member's statement. I have five special guests in the members' gallery. They are members of the police force that I would like to introduce to you and through you to all the members of the Assembly. The first one is Sergeant Robinder Gill. Please rise. Amardeep Pandher, Namrata Gill, Ravideep Khangura, and Constable Tirth Sehmbi. I would like to ask these five young men and women to stand and receive the traditional warm welcome of this Assembly.

Thank you.

The Speaker: The hon. Minister of Finance and Enterprise.

Dr. Morton: Thank you, Mr. Speaker. It's my privilege to introduce to you and through you some of the officers of Advocis, the Financial Advisors Association of Canada. They're here today for Advocis day at the Legislature. I'd like to acknowledge the following individuals: chair of the national board, Ms Terry Zavitz; chair of the Alberta provincial advisory committee; Mr. John Liston; vice-chair of the Alberta provincial advocacy committee; Mr. Kenneth Doll; and president and CEO of Advocis; Mr. Greg Pollock. I believe they are in the public gallery. If they would all stand up. Welcome to the Legislative Assembly.

The Speaker: The hon. Member for Lesser Slave Lake.

Ms Calahasen: Thank you, Mr. Speaker. It is indeed a rare time when I can introduce to you and through you individuals from my constituency. Today I have the great pleasure of introducing Mr. Brian Holmberg, the economic development officer for the town of High Prairie. He is seated, I believe, in the public gallery, and I'd ask that he rise and receive the warm welcome of this Assembly.

The Speaker: The hon. Member for Little Bow.

Mr. McFarland: Thank you, Mr. Speaker. Unfortunately, today with the way the weather is in southern Alberta, the small school from Milo, Alberta, was really looking forward to being here to meet with you and especially to see all of the special guests that have been introduced, but the weather has not permitted them to be here. I guess they're stuck in a snowdrift. I would like to acknowledge and recognize in absentia the school from Milo, who were going to be here and, hopefully, will come see you in this fall session or early next spring.

Thank you.

The Speaker: The hon. Member for Wetaskiwin-Camrose.

Mr. Olson: Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to all members of the Assembly Mr. Les Stahlke, who was here today to have lunch with me and talk about issues of board governance. He's well qualified to speak about that. He's written three books on the subject and has been practising as a consultant since 2000. He represents over 200 organizations world-wide. He got his start as a bush pilot and a Lutheran clergyman in Fort McMurray in the 1960s. He's also worked in east Africa. He's led a very interesting life. Today he's working on board governance issues. Most importantly and the best thing I like about him is that he is the grandfather of my daughter-in-law. If he would please rise and receive the warm welcome of the Assembly.

The Speaker: The hon. Member for Whitecourt-St. Anne.

Mr. VanderBurg: Thank you, Mr. Speaker. I would like to introduce to you two individuals who are very well known to everybody here in the Assembly. The first is my former assistant, Brock Mulligan, who is now the communications director for the Alberta Forest Products Association, and his boss, Brady Whittaker. I'd ask them both to rise and receive the warm welcome of this Assembly.

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

Ms Notley: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all Members of the Legisla-

tive Assembly representative women and children and supporting members of the Family Litigation Advocacy Association. The association was formed to advocate for family members who have left abusive relationships and now are trapped in the endless legal nightmares in part caused by inadequate and now reduced legal aid services, arising from further cutbacks. I ask that my guests from the Family Litigation Advocacy Association rise as I call their names: Joan Jagodnik, Iga Speur, Nancy Karvellas, Madina Elamki, Yasmine Elamki and her young children, Ayah and Khaled, as well as Kadyja Assiff and her children, Deeyan Assiff and Yasmine Assiff. I'd appreciate it if they could receive the warm welcome of the Assembly.

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

Mr. Bhullar: Thank you, Mr. Speaker. I've just been informed that two more of my guests have arrived in the Assembly. I'd like to introduce Mr. Ram Chahal and his wife, Surinder Chahal. Mr. Chahal is, I believe, the past president of the World Sikh Organization. I believe they're sitting in the public gallery.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview.

Mr. Vandermeer: Thank you, Mr. Speaker. It's my honour today to introduce to you a hard-working member of the constituency of Edmonton-Beverly-Clareview. He's a long-standing member. His name is Steve Robson. I'd ask him to rise and receive the warm welcome of the Assembly.

The Speaker: The hon. Minister of Health and Wellness.

Mr. Zwozdesky: Thank you, Mr. Speaker. My international guests from Lviv, Ukraine, have arrived now with some local hosts, and I would ask that they now rise and be acknowledged by the Assembly. [Remarks in Ukrainian]

[Translation] I welcome you again with a warm and friendly bow of thanks. [As submitted]

Members' Statements

The Speaker: The hon. Member for Athabasca-Redwater.

Canadian Forces Honours and Awards Investiture

Mr. Johnson: Thank you, Mr. Speaker. This week we celebrated the end of an era, but in many ways that era continues. The legacy of our veterans is one of service, dedication, sacrifice, and freedom. Although all of our WW I veterans have now left us, these qualities live on today in Alberta and in today's Albertans and Canadians.

On March 25 the Deputy Premier and I, at the invitation of Canada's Chief of the Land Staff, Lieutenant-General Leslie, had the great honour of attending the Honours and Awards Investiture for the Canadian Forces at the Edmonton Garrison. I've introduced a few of the recipients today. The stories we heard that night of the dedication and courage of 59 individuals was truly amazing. I'd like to read part of one example from the program, which I will table.

Sergeant Steven Corcoran commanded the lead section of a patrol during an ambush in Zhari District, Afghanistan. Despite injuries from having been shot twice by an insurgent lying in wait, he returned fire that helped disrupt the ambush and dragged himself to a position of cover for medical attention. He continued to direct his soldiers from his stretcher, providing reassurance and instilling confidence in the face of a significant threat.

Mr. Speaker, these heroes and their families and others like them

have made the difficult, dangerous, and sometimes devastating choice to serve, the same choice many of our forefathers made and the same choice that has secured our security and our future and our freedom. Like our forefathers, we owe them a debt we cannot repay, but on behalf of all my colleagues and all Albertans we want them and their families to know that their dedication does not go unnoticed, and we are so very, very grateful.

Thank you, Mr. Speaker.

1:50

Oral Question Period

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

Health Services Executive Bonuses

Dr. Swann: Thank you very much, Mr. Speaker. This government clearly needs to deal with the rich sense of entitlement that has been created among senior executives in Alberta Health Services. The fact that bonuses larger than the average Albertan earns in a year were handed out at a time when the health care system was in turmoil is something the Premier should be very concerned about. To the Premier: how bad would the performance of the health care system need to be in order for no executive bonuses to be handed out?

Mr. Stelmach: Mr. Speaker, we just entered into a long-term funding agreement with Alberta Health Services. The minister is now in the process of entering into negotiations for performance-based measures like improvement in access, quality of care, and many others. The minister is on top of the file, and he'll take the questions with respect to the bonus issue.

Dr. Swann: Well, again, Mr. Speaker, given that the '09-10 bonuses have yet to be determined for Alberta Health Services and the performance of the health care system in the last year has been nothing if not appalling, will the Premier commit here and now that no executive bonuses to Alberta Health executives will be paid out in '09-10? Yes or no, Mr. Premier?

Mr. Zwozdesky: Mr. Speaker, this issue comes under my purview, and I want to tell the House that Alberta Health Services has responsibility for this particular part of this file. It deals with employee packages, some of which are inherited from previous local health authorities in the province and perhaps some of them that were created under the new Alberta Health Services. Nonetheless, the entire system is under some review by the Alberta Health Services Board.

Dr. Swann: Well, again to the Premier, Mr. Speaker. Your skin is on the line, Mr. Premier. Are you or are you not going to stop this executive largesse to Alberta Health Services executives?

The Speaker: The hon. minister.

Mr. Zwozdesky: Thank you. Mr. Speaker, I indicated yesterday very clearly what the process is going forward with this matter. We are having this discussion between myself and the Alberta Health Services Board on looking into how that review can result in a system that everybody feels very proud of. We have an excellent group of people who are working very hard to deliver health services, and they were delivering them during the worst economic downturn in Alberta's history since 1930. They are working very hard right now, I can assure you.

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

Provincial Public Image

Dr. Swann: Thank you, Mr. Speaker. Alberta's reputation in this country and abroad is suffering. While the Premier touts local newspaper articles on the Alberta train as a success in advertising Alberta to the world, the Premier continues to take actions that damage Alberta's reputation for environmental and democratic stewardship. To the Premier. The rest of the world is taking notice. If a few positive articles in B.C. and Alberta newspapers on the Alberta train count as \$70 million worth of success, the cost of 70 Super Bowl ads by the way, then what is the value of all the negative publicity around the world from this government's mishandling of tailings ponds, cancer rates in Fort Chip, and policies like . . .

The Speaker: The hon. the Premier.

Mr. Stelmach: Mr. Speaker, a lot of work has been done with respect to the environmental file in all of the oil sands development. There is more to be done, and we are very adamant in working with the ERCB that we deal with tailings ponds. Although there is no evidence of any seepage – and I must say that water has been monitored in the Athabasca River since 1971 – these are issues that we are dealing with, and over time we are going to move to dry tailings ponds, which will remove a lot of the site of the tailings ponds presently.

Dr. Swann: Well, Mr. Speaker, in reference to another move that damages Alberta's reputation as a modern democracy, did the Premier or anyone else from his office instruct the PC majority members on the Public Accounts Committee today to restrict and limit the authority of the chair of Public Accounts?

Mr. Stelmach: Mr. Speaker, I'm not aware of what happened at Public Accounts this morning. If there was a matter that the chair or the opposition is unhappy with, there's a way of bringing it forward. There is a process. Usually those matters are dealt with by the Speaker of the Assembly.

Dr. Swann: Again to the Premier: does the Premier recognize that all of this bad publicity, backtracking, and backroom shenanigans such as we saw today in Public Accounts have effectively cost Alberta taxpayers \$25 million? That is the price of negating the government's bloated \$25 million greenwashing campaign.

Mr. Stelmach: Mr. Speaker, the government of Alberta will have a parallel process in terms of working with other jurisdictions around the world to get the facts out with respect to all oil and gas development in the province of Alberta. The fact that we do have the most stringent environmental rules and regulations, the fact that we're the first jurisdiction in Canada to actually be able to measure carbon, the fact that we have a carbon levy, the fact that we've set money aside in a carbon levy fund to deal with issues especially tied to research, we are leading the nation if not, indeed, North America in this area.

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

Legal Aid

Mr. Hehr: Mr. Speaker, yesterday the Justice minister was playing the role of the ostrich, burying her head in the sand but insisting that

cuts to legal aid funding would not affect service delivery. Well, today the legal community is asking her to come up for air as these changes will deprive impoverished citizens of legal representation, and this will result in wrongful convictions, inappropriate sentencing, and unfair custody and access rights decisions. Accordingly, my question is for the Justice minister. Are these critics right in saying that because of these cuts many low-income Albertans will not receive adequate legal representation?

Ms Redford: Well, Mr. Speaker, in fact, the hon. member is not right. We have a system in Alberta where we are ensuring that we are able to provide access to justice and appropriate legal advice to everyone that needs it in this province. Now, one thing I know as a lawyer is that lawyers don't like to see a lot of change, but just because change is something that people aren't sure about doesn't mean that it's not a good thing, and we're proceeding.

Mr. Hehr: Well, Mr. Speaker, the Justice minister has determined how the Legal Aid Society should operate and oversee aspects of this service delivery. Doesn't this undermine the confidence and the impartiality of legal aid and bring our system of justice into disrepute? Don't forget that you're also responsible for public prosecutions.

Ms Redford: Mr. Speaker, the Legal Aid board is an independent board. The Legal Aid board oversees how it decides to spend its money. The Legal Aid board also has a role in public policy discussions about what legal aid should look like. We participate in that discussion. The Legal Aid board makes the decision as to how they will proceed, and it's a fully transparent system.

Mr. Hehr: Mr. Speaker, given that Legal Aid Alberta has been forced to reduce eligibility requirements to, quote, remain sustainable and legal aid is an essential service provided to Alberta's most vulnerable people, why are we casting them aside for the sake of sustaining a business model?

Ms Redford: Mr. Speaker, legal aid that is provided in this province is much more extensive than in many other provinces in this country. We fulfill our obligations both as a matter of public policy and as a constitutional issue, and we will continue to do that.

The Speaker: The hon. Member for *Airdrie-Chestermere*.

School Construction in *Airdrie-Chestermere*

Mr. Anderson: Thank you, Mr. Speaker. The Rocky View school division and especially the city of *Airdrie* are at a crisis point with regard to school infrastructure. *Airdrie* students are holding math classes in the library, the gym, and in some instances in the hallways. Trustees are even considering busing kids into soon-to-be-closed inner-city *Calgary* schools. The division is now begging for \$5 million for 20 new portables to make a secondary temporary portable school in *Airdrie*. To the Education minister: would you please reallocate just one of the 32 newly announced P3 schools to *Airdrie*, the fastest growing city in the province?

Mr. Hancock: Mr. Speaker, with respect to the ASAP program, that's a process that takes a significant amount of time to put together. It is at its final stages, and announcements will be made soon. The school division that the hon. member has referred to has a school in that project. Their top priority school is going to be built at *Langdon*, as they asked.

Mr. Anderson: That is completely out of touch with reality. You need to get your facts straight.

Given that since 2005 Edmonton public has decreased in student population by 1,000 yet has received 10 new schools and given that during that same time Calgary received six new Catholic schools yet their Catholic student population went down by 700 students, why wouldn't Airdrie get another school when their student population has risen by 1,500 students since 2005, yet they've only gotten one public and one Catholic . . .

2:00

The Speaker: The hon. minister. [interjection] The hon. minister has the floor.

Mr. Hancock: Thank you, Mr. Speaker. There's a very complex process of determining priorities for building schools. Unfortunately, in this year I didn't have additional capital dollars to build new schools. Quite frankly, if we had followed that member's advice, we would have even taken the capital building program and stretched it out over a couple of more years, and it would be even longer before he got schools.

Mr. Anderson: Thirty-two schools if they're put in the right place: that's what you need. Thirty-two schools in the right place.

Given that Rocky View is projected to add 3,000 additional students in the next three years, most of them in Airdrie, and given that Airdrie's projected population will be 70,000 people by 2025, will the minister commit to come to the table with the local Rocky View trustees to discuss a short-term and long-term strategy for solving what will shortly become an emergency if you don't take action?

Mr. Hancock: Mr. Speaker, finally, a reasonable question. Absolutely. That's my job, to work with Rocky View and work with every other school board to try to deal with the issues that they have. In fact, there are solutions for Rocky View that we're working on, and I believe that we'll be able to accomplish some great progress in that area. There is no question that there are urgencies across the province with respect to school populations, but that does not deny the need for the ASAP 1 and ASAP 2 schools that have been built. It's not pitting one against the other; it's dealing with all of them.

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

Signage on Highway Rights-of-way

Mr. Mason: Thank you, Mr. Speaker. On several occasions the Minister of Transportation was asked specifically about why his department removed antinuclear signs on public rights-of-way and private property. Time after time the minister hid behind vague statements of departmental policy. Now we have department e-mails that reveal the truth, that the removal was political and that antinuclear signs were targeted. My question is to the Minister of Transportation. Will he finally admit to this House that the signs were removed because they oppose nuclear power in Alberta?

Mr. Ouellette: Mr. Speaker, we've said in this House a number of times – I've had a number of questions about it – and our policy has always been exactly the same: if there are noncompliant signs, our maintenance people are supposed to go take them down. As far as I know, that's exactly what happened up there. There were a bunch of noncompliant signs in the right-of-way, and our guys went and took them down.

Mr. Mason: Mr. Speaker, this minister knows that the Member for Peace River lobbied him to take down those nuclear signs.

Given that the antinuclear signs were removed but other signs that violated the same policy were ignored, why won't the minister admit that there was political interference on the part of the Member for Peace River and that the minister acted to silence antinuclear protest?

Mr. Ouellette: Mr. Speaker, I watched the same CBC announcement that he watched last night, and it absolutely had nothing to do with political interference. In fact, it even said in the article that the hon. Member for Peace River had an inquiry from a constituent about a sign, and when he went and talked to someone from our department, that's what happened. That's what they made out of it. But our policy has always been the same: if they're noncompliant, take them down.

Mr. Mason: Mr. Speaker, given that e-mails from the ministry show that antinuclear signs were specifically and politically targeted and given that it resulted in the removal of antinuclear signs by this minister's department, why won't the minister apologize for withholding this important information and set the record straight, that the government tried to silence antinuclear protesters and that this minister is covering it up?

Mr. Ouellette: Mr. Speaker, I just said that I watched the same CBC – that's where I saw the e-mail he's talking about. It said no such thing. I don't know where he's getting that from.

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

Foreign Investments in the Oil Sands

Mr. Taylor: Thank you, Mr. Speaker. To the Premier. Let me first say that I can still see him from the back of the room.

I want the Premier to join me in putting Albertans first, and he can start by assuring all Albertans that the recent information they received on foreign ownership of their resources in the oil sands will not prevent value-added job creation in the province of Alberta. Will the Premier tell Albertans that the recent developments will have zero adverse effect on the future potential of the oil sands to produce value-added jobs in the area of upgrading, or is he going to allow Alberta to fall back into Canadian history, where we were drawers of water and hewers of wood?

Mr. Stelmach: Mr. Speaker, a good question. I believe the member is referring to a recent purchase of 9 per cent of Syncrude for about \$4.67 billion. We are proceeding with our plan to keep adding value to the production out of the oil sands. This agreement, from what I gather, what I know, has not asked for any of the bitumen to go directly to the country of China. Remember that this is buying a part of a share of an existing operation in the oil sands.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. Well, can the Premier categorically state that there will be no loss of ownership of the resource and control and decision-making authority around a resource so critical to all Albertans?

Mr. Stelmach: I am not party to the agreement, and I haven't read it. Even if I did, I'm not a lawyer. It'll take months before this agreement will be approved by both the federal government and, of

course, I believe, the Chinese government as well. It just shows that we have a tremendous resource in the province of Alberta. A 9 per cent stake in Syncrude, \$4.65 billion: that's a lot of jobs that are going to be created in Alberta as a result.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. Well, since I along with most Albertans these days am not convinced that this government always has our best interests at heart, can the Premier give Albertans specifics as to how he proposes to protect our ability to control the resource of the Alberta oil sands for all Albertans for generations to come?

Mr. Stelmach: Mr. Speaker, we just changed significantly the royalty on the oil sands. This is the first time in history, I believe, in the province that the oil sands royalty has exceeded natural gas and conventional oil as well, so that tells us that we are on the right path of creating this additional wealth.

With respect to value-added there will be an RFP that will be completed. I believe the examination of that RFP will be concluded sometime in June, and we will have further news on the value-added file.

The Speaker: The hon. Member for Red Deer-South, followed by the hon. Member for Edmonton-Riverview.

Capital Bonds Investments

Mr. Dallas: Thank you, Mr. Speaker. We've not heard much about the Alberta capital bonds that were being sold to Albertans last February, and my constituents are telling me that this government has had ample time to make some decisions. My question to the Minister of Infrastructure: what's being done with the money collected from the sale of those bonds last February?

Mr. Danyluk: Well, Mr. Speaker, the funds are being used to support the capital plan and the government's commitment to increase accommodations options for seniors. In fact, the money from the bond sales will be used to build and upgrade a thousand continuing care spaces. Let me repeat again: a thousand, over a thousand. The investment addresses priorities for this government. We are looking at 13 facilities, and we are helping seniors stay in their communities and age in the right place, close to their family and friends.

Mr. Dallas: Mr. Speaker, my first supplemental is to the Minister of Seniors and Community Supports. A thousand is great, but I'm sure that's not enough to finish the job. How did you prioritize these projects, and where will they be located?

The Speaker: The hon. minister.

Mrs. Jablonski: Thank you, Mr. Speaker. This announcement reflects the government's commitment to meeting the changing needs of our seniors. After researching demographics and identifying communities with the greatest need, we selected 13 projects in 11 different communities, and that will help develop and upgrade 1,000 affordable – affordable – continuing care spaces. These priority projects cross the spectrum of continuing care and are expected to be completed or well under way by 2012. With this \$105 million investment, the province will have approximately \$520 million invested towards developing and upgrading close to . . .

The Speaker: The hon. member.

Mr. Dallas: Mr. Speaker, my second supplemental question is to the Minister of Health and Wellness. Seniors in my community want to know how new community continuing care accommodations are actually going to affect the health care system that provides for them.

Mr. Zwozdesky: Mr. Speaker, this will be a very, very positive impact, one of the more significant positive impacts that we've announced for seniors, because more than 1,000 new or upgraded spaces will be provided. That means that about 700 seniors who might at the moment be in an acute-care bed in one of our hospitals could be moved to an appropriate setting in the community. As well, there will be additional good news following as soon as I've completed the Alberta health facilities capital plan. That will come out very shortly as well.

2:10 Health Services Executive Contracts

Dr. Taft: Mr. Speaker, executives at Alberta Health Services are paid large salaries and then bonuses, and now today we learn they are paid premiums on top of the bonuses. Plus, they get gold-plated retirement packages without contributing to them. It's become a private feeding frenzy on the public purse in an organization that is struggling badly to do its job. The Minister of Health and Wellness has reversed policies by Alberta Health Services on pharmacy, bed closures, surgeries, ambulance consolidations, so why won't he reverse the pay policies of Alberta Health Services and bring it into line with the rest of the province?

Mr. Zwozdesky: Mr. Speaker, I assume the hon. member is talking about contracts. That's a lot different than some sort of a plan or a policy change or some other initiative. Contracts are contracts. We have to adhere to them.

Dr. Taft: I'm hoping the contracts are in line with some kind of policy, and our policy needs to be changed.

Does the minister buy the line from Alberta Health Services that it's a good idea to pay premiums of up to \$79,000 a year to staff who are already getting huge salaries, bonuses, and retirement plans? Is that a good idea?

Mr. Zwozdesky: Mr. Speaker, I think I indicated yesterday that the policy is under review by Alberta Health Services. They are the ones who are responsible for recently created contracts and/or recently created policies regarding those employment contracts. They're also reviewing contracts of the past, those that they inherited from one of the three provincial boards or from the nine health authorities.

Dr. Taft: To the same minister: given that the salary range for provincial deputy ministers, who run entire departments, goes up to \$253,000 plus benefits and a car, if this is good enough for a deputy minister, why isn't it good enough for an executive at Alberta Health Services?

Mr. Zwozdesky: Mr. Speaker, I think that if the hon. member took the time to take a look at health systems across Canada, perhaps elsewhere, he would realize that these salaries are in line with those top-level executives who are outside the government stream at an arm's-length level. But I can assure this member that no bonuses will be paid unless specific performance targets are met in accor-

dance with the recently revised standardized contracts that Alberta Health Services has now put in place.

The Speaker: The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Edmonton-Gold Bar.

Adult Guardianship and Trusteeship

Mrs. Leskiw: Thank you, Mr. Speaker. One of my constituents is having difficulty navigating the transition from children's disability supports to adult disability supports. One of the challenges is that when a child becomes an adult, a parent is no longer legally able to make decisions on the child's behalf. My question is to the Minister of Seniors and Community Supports. How can we streamline this process for parents of children with disabilities who require guardianship after they reach adulthood?

Mrs. Jablonski: Mr. Speaker, under the former Dependent Adults Act an individual did have to be 18 before the application process for guardianship could be started, so that did create some transitional problems. However, we have improved the situation with the new Adult Guardianship and Trusteeship Act, under which an application for guardianship and trusteeship can be made at the age of 17. This is a significant improvement in legislation, and I hope it will go a long way to relieve the frustrations of parents of children with disabilities.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. My second question is to the same minister. Regarding the AISH application process, if an applicant has a cognitive disability rather than a physical disability, would he or she still be eligible for AISH?

Mrs. Jablonski: Mr. Speaker, for someone to be eligible for AISH, they must meet both the financial and the medical eligibility criteria. For the AISH medical application it's the physician who chooses and completes the sections of the application form that are most relevant to the individual's disabilities. If an individual meets the program eligibility, they will be eligible for AISH regardless of what type of disability they have.

The Speaker: The hon. member.

Mrs. Leskiw: Thank you, Mr. Speaker. My third question is to the same minister. Can we do something to reduce the time-consuming and complicated process that parents need to go through to apply for support for their adult children with disabilities?

Mrs. Jablonski: Mr. Speaker, the Premier has given me the mandate to lead a review of social-based assistance programs so that services are more effective, appropriate, and easier to access. To do this, we are consolidating the screening, intake, eligibility, and assessment for AISH, the PDD program, and family support for children with disabilities. Currently, for individuals who are eligible for PDD supports, we are working with other government service providers to assist families in the transition from child to adult services.

The Speaker: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Leduc-Beaumont-Devon.

Cabinet Policy Committees

Mr. MacDonald: Thank you, Mr. Speaker. On March 18 the President of the Treasury Board stated that he would report back to

the House on the retroactive payments made to Conservative MLAs for sitting on internal cabinet policy committees. He has not yet responded to me with a report. To the President of the Treasury Board: why did the government pay \$42,000 in retroactive payments to Conservative members for sitting on the internal cabinet policy committees, and who authorized that decision?

Mr. Snelgrove: Mr. Speaker, for the hon. member to suggest that I did not report back to him on that issue is completely untrue. The next day it was read in here. The exact fact was that those people are authorized under the memorandum that came in October '08 and stays in place until it is replaced by a concurrent or follow-up OC, which may change membership on the different committees. They are all operating under OCs, that are publicly published and announced. For him to suggest I did not report back is false.

Mr. MacDonald: He did not report to the questions that I asked him, and he knows that.

Now, since the government is unable to provide a ministerial order showing the appointment of all Conservative MLAs to the five internal cabinet policy committees, will the President of the Treasury Board explain what was done to authorize these members to be paid? Was there a secret ceremony, a private swearing-in, or what?

Mr. Snelgrove: We put the little candles out around the room, and we sing *Kumbaya* and chant, and it would make sense to him.

Mr. Speaker, there wasn't a ministerial order. It was an order in council. None of the pay involved was retroactive, because the work on committees as well as cabinet members continues whether there is an election or not.

The Speaker: The hon. member.

Mr. MacDonald: Thank you, Mr. Speaker. The taxpayers are not impressed with your response to date, hon. minister.

Again, will the President of the Treasury Board clarify whether funding for these cabinet policy committees, reported as a line item in various department budgets, is paid for support staff, members' payments, or both?

Mr. Snelgrove: As everyone who paid attention while we went through budget deliberations would understand, the department that has the chairman of the standing policy committee funds the total cost of that policy committee through one ministry to make sure that it is streamlined in the most effective way. It does include membership on the committee, support staff, materials, or travel that might be necessary.

The Speaker: The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Calgary-Fish Creek.

Capital Bonds Investments

(continued)

Mr. Rogers: Thank you, Mr. Speaker. Today the government announced that \$105 million is being invested in seniors' accommodation across the province. Fifty million dollars of this funding was made possible by Albertans who bought capital bonds. This is such good news that I thought I, too, would ask a question of the Minister of Infrastructure. Why are the capital bond funds being directed to seniors' accommodations?

Mr. Danyluk: Well, Mr. Speaker, preparing for an aging population is a priority for this government. Investing capital bonds in seniors' accommodations supports that priority. In fact, it was very clear in the discussions in this Chamber, the importance of supporting seniors' housing. Seniors have told us very clearly that they want to stay together as they age and in a more homelike setting than the traditional long-term care.

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. Again to the same minister, and I think he partially answered some of my question. My next question is: what will these facilities look like, and will they actually meet the great need that exists for seniors' housing today?

Mr. Danyluk: Well, Mr. Speaker, each facility is going to be unique. Most of the projects are new facilities. Some of them are renovations. The investment addresses the priority needs of the communities. The details of each of the projects will be announced in the very short future.

2:20

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. Finally, to the same minister: what assurances can the minister give to this House that this is not just another great-sounding announcement but that these facilities will actually be built?

Mr. Danyluk: Well, Mr. Speaker, first of all, today's announcement will allow us to move forward with 1,000 new and upgraded spaces. Providing seniors with accommodations that best suit their health and personal care needs is a priority, as I said, of this government. These projects will be completed or well under way by 2012. That's the assurance, that those projects are starting and those projects are going to be done by 2012.

The Speaker: The hon. Member for Calgary-Fish Creek, followed by the hon. Member for Edmonton-Centre.

Cataract Surgery

Mrs. Forsyth: Thank you very much, Mr. Speaker. Last night I had an excellent conversation with an eye doctor who is absolutely horrified at the actions taken by the government as it relates to cataract surgeries and cornea transplants. The health minister likes to talk about two arms: one arm is the department, and the other arm is the delivery of health services. My question is to the minister of health. Can the minister tell us if one of his arms inspected all or any of the facilities, and how can you inspect a building that hasn't even been opened yet?

Mr. Zwozdesky: Mr. Speaker, this question was asked of me by a few people involved in the system. I said that I would have a review of that done, and we're looking into that right now. In fact, I'm going to be doing some of it this weekend.

Mrs. Forsyth: Mr. Speaker, that's unacceptable. They've awarded a contract, and the building hasn't even been done.

My next question is to the minister of health. Since the government likes to talk about competitiveness, Bill 1, why have they shut down surgical theatres and facilities and given a monopoly over contract surgeries to a small group? How is that competitive, Minister?

Mr. Zwozdesky: Mr. Speaker, the hon. member's preamble was actually very incorrect. The facilities that have been awarded the contracts do exist, but at least one of them is expanding. There's a fundamental difference there. That expansion is expected to be completed sometime in May or June. It will be inspected by the college, and we hope it will be accredited – we're sure it will be – shortly thereafter.

Mrs. Forsyth: My final question today is again to the minister. The minister has told this Assembly that there is a second blitz coming on cataract surgery and cornea transplants. What does this mean, and how will these procedures get done without all of the skilled professionals who've now been let go because of your decisions?

Mr. Zwozdesky: Mr. Speaker, this was a fully transparent, open, publicly tendered process, that closed on January 15. I assume that the hon. members know that. However, to answer the question about the blitz, we did a very successful first blitz, which added – added – 2,230 new surgeries to the system. About 750-plus were specifically cataract surgeries. That now is going to be piggybacked on by a second blitz, which I will be announcing very soon. In the meantime, between those two blitzes we have the ongoing year-long eye surgeries, that will now continue.

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

Suncor Emission Incident

Ms Blakeman: Thank you very much, Mr. Speaker. This government does not protect the people of Alberta from chemical emissions. Instead, they rely on self-regulation by industry and on companies to tell them what it means for Albertans when incidents occur. The government has no idea what and how much toxic and carcinogenic chemicals were released into the air. Government officials are reduced to begging the responsible company for information. To the Minister of Environment. It has been a month. Can the minister tell us the amount of chemicals released into the air that Albertans breathe from the Suncor incident on March 15?

Mr. Renner: Mr. Speaker, I don't have that information at hand, but I'm sure that given an appropriate amount of time I could have that information brought forward from my department, and I'll be happy to provide it to the hon. member.

Ms Blakeman: To the same minister: what is the reason that we lack the expertise in the Department of Environment to be able to tell Albertans the potential effects of a thousand kilograms of a catalyst that was released? We had to go and ask Suncor what it was.

Mr. Renner: Well, Mr. Speaker, that's ludicrous. We have all kinds of technical expertise within our department. What we don't have – and it would be ridiculous for us to have – is our top technical people at every licensed facility in the province 24 hours a day, 365 days a year just in case there is an incident that needs to be recorded. The member is absolutely right: we depend upon industry to advise us of these incidents. At the same time, we don't only depend on it; we require it, and we will hold them accountable if they do not.

Ms Blakeman: You don't know what happened there.

Back to the same minister: why does the government choose to rely on a weak self-reporting policy rather than monitoring and expertise done by ministry staff? Is it money? Is it lack of political will? Why? This jeopardizes the health of Albertans.

Mr. Renner: Well, Mr. Speaker, I answered the third question in the second question. It's the same reason that we don't have auditors that are employed by the government of Alberta ensuring that at the end of the day people record the numbers correctly in their books so that we can ensure the taxes they pay at the end of the year. We have audits. We have a process where we do unannounced audits, and we have a process where we do regular audits. That's how we hold them accountable.

The Speaker: The hon. Member for Strathmore-Brooks, followed by the hon. Member for Lethbridge-East.

Cataract Surgery

(continued)

Mr. Doerksen: Thank you, Mr. Speaker. Alberta Health Services recently announced that there will only be four eye surgery facilities delivering ophthalmological services in Edmonton and Calgary. What isn't clear, however, is what the impact of this decision will be on other parts of the province and Albertans living in other communities. My first question is to the Minister of Health and Wellness. I've had constituents concerned about delays with regard to their surgeries. Are there surgeries, in fact, being delayed or cancelled, and what is being done to expedite previously scheduled surgeries?

Mr. Zwozdesky: Mr. Speaker, no surgeries are being cancelled. For the surgeries that may have been scheduled in facilities that did not win a bid pursuant to the RFP process back in January, they are phoning all of their patients so that the doctors who were going to perform those surgeries will still perform them, albeit in different and still-approved facilities. The impact should not result in any significant delays whatsoever.

The Speaker: The hon. member.

Mr. Doerksen: Thank you, Mr. Speaker. To the same minister. This was a competitive process, I understand. Now there are only four facilities delivering this service. Will there be adequate service providers in the future, when there may be future bids on this issue?

Mr. Zwozdesky: Mr. Speaker, there were about 10 facilities providing the services. They were all invited to bid. Those who won the bid, which is the customary way this is done, will continue to provide those services. The doctors who were scheduled to perform them in other facilities will now simply perform them in one of the winning bid facilities. In the process, because these were competitive bids, they have saved \$1.4 million for Albertans, which means that many, many more eye surgeries will be able to be completed within this next year. It's very good news for those people.

The Speaker: The hon. member.

Mr. Doerksen: Thank you, Mr. Speaker. Will this process be repeated in other parts of the province for other service providers, or will there be a similar impact in other rural communities in the future?

Mr. Zwozdesky: Mr. Speaker, eye surgeries in all other locations in the province are not impacted or affected by these four winning bid facilities in Edmonton and Calgary. If surgeries were scheduled in other parts of the province, they are untouched by this decision.

Secondly, I will be having a meeting with the ophthalmologists very soon to discuss related issues and, in particular, what new opportunities will be there for those who did not win one of the bid facilities' contracts. I'll be announcing that as part of the second blitz within a few days.

The Speaker: The hon. Member for Lethbridge-East, followed by the hon. Member for Strathcona.

Rent Supplement Programs

Ms Pastoor: Thank you, Mr. Speaker. A constituent on AISH brings home \$1,188 and spends over 60 per cent of it on rent. She applied for a rent subsidy but was turned away because she was, quote, low priority. To the Minister of Housing and Urban Affairs: how is it that this woman is low priority for this government?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. I'm not aware of the specific situation, but I will have my department follow up with this particular member with a response in a timely fashion.

2:30

The Speaker: The hon. member.

Ms Pastoor: Thank you, and I will share that information, although I'm sure she doesn't stand alone.

Given that over 10,000 people are on a wait-list for rent support, which means that they spend more than 50 per cent of their income on rent, how can the minister defend the huge cuts made to rent supplements over the past two years when rents are always increasing?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. This member is actually not correct that rents are always increasing. They have increased over the past couple of years, but we've actually seen a decline to the rents this year. That's why we have budgeted somewhat less, about \$13 million for rent supplements, than we have. This member should also know that we are actually helping 80,000 people every month with their rent, and every month 800 new people were able to transition into this system.

Ms Pastoor: Well, 80,000 plus 10,000: that's 90,000 out there that need it.

Given that keeping people in their homes costs less than having that person become homeless, why is the minister unwilling to properly fund rent supplements, a move that saves taxpayers money in the long run?

Mr. Denis: Mr. Speaker, I again would challenge that member's last comment. In fact, we do properly fund these items. We fund to the extent that we actually help three times the amount of people that we did only three years ago.

But I would like to welcome this member. I guess she's my new critic.

Thank you.

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

Twinning of Highway 21

Mr. Quest: Thank you, Mr. Speaker. Highway 21 runs through my constituency, and it's a very busy highway. I'm of course pleased that twinning is taking place. However, it is taking a very long time. It was supposed to be completed last fall, but it's still a construction zone with no final surface and other work not finished. My question to the Minister of Transportation: why is this taking so long?

Mr. Ouellette: Well, Mr. Speaker, the province has invested \$115 million to complete 12.8 kilometres of highway 21 twinning. I would like to tell the hon. member that it takes a little while to spend \$115 million. We opened two of those lanes in December, and while most of the twinning is done, the final paving, the tree planting, and the landscaping work can't be done during the winter. As soon as the weather permits, we're going to be getting that done for the hon. member.

The Speaker: The hon. member. [interjections] The hon. member has the floor.

Mr. Quest: Thank you, Mr. Speaker. That's good to hear. My next question to the same minister. My constituents are concerned not only about getting the final work done finally, but constituents are raising issues with the timing of the lights and the noise. I'm wondering what you're going to do to address those issues.

Mr. Ouellette: Mr. Speaker, the department has been monitoring the four new traffic lights since they were installed last December. We've been making some adjustments through the winter months to try to improve the timing and the left turn signals. The department will continue to closely monitor the operation of these traffic lights and make further adjustments as they're needed. As for the noise concerns, my department completed a study in 2005 that projected the noise levels would be below our provincial guidelines.

The Speaker: The hon. member.

Mr. Quest: Thank you, Mr. Speaker. Just one more time, when will this stretch of highway finally be completed?

Mr. Ouellette: Mr. Speaker, we'll be completing the final paving and finishing work on 21 twinning as soon as we possibly can, weather permitting, this summer. We've already seen reduced traffic congestion with the opening of the twin lanes late last year, and we're now into the final stretch of construction on this project. When this \$115 million upgrade to highway 21 is complete, motorists will benefit from improved traffic flow and increased safety.

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

Water Use by Oil Sands Projects

Ms Blakeman: Thank you very much, Mr. Speaker. An in situ project's plan to use only brackish water at a 2 to 1 ratio and no surface water isn't working out well. They have struggled with steam shortages since their start and are now planning to make an application to draw 17,000 cubic metres from the Clearwater River just to keep phase 1 of their facilities running. To the Minister of Environment: what kind of approval guidelines are in place when a project can get this far in but be that far out on its water usage? How can a project get this far off base on their water use?

Mr. Renner: Well, Mr. Speaker, there are two approval authorities associated with the development of in situ. One is the ERCB, which is responsible for a number of the operational side of things, and one is Alberta Environment, which is responsible for water. We have a policy in place, a policy that we hold very strictly, and that is that there needs to be a total commitment to brackish water, to saline water, before surface water would even be considered for a project.

Ms Blakeman: Well, back to the same minister: given that the volume of water needed and used is key in oil and gas development, what is the government's break point, where it says no, no more water, no more surface water? Where does that point come?

Mr. Renner: Mr. Speaker, that point comes in conjunction with our in-stream flow needs assessment that is in place and has further development under way, whereby we have in place now, as you know, a series of red, yellow, and green stages of water flow. That is phase 1. Phase 2 will further define and further restrict the ability for projects to withdraw water, and projects like this, should they be using fresh water, would have to have off-stream storage.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Back to the same minister: given that an ERCB directive, Requirements for Water Measurement, Reporting, and Use for Thermal In Situ Oil Sands Schemes, finished its public consultation phase a year ago, why has it not been approved?

Mr. Renner: Well, Mr. Speaker, I would suggest she ask the Minister of Energy, who's responsible for the ERCB.

The Speaker: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Calgary-North Hill.

Municipal Sustainability Initiative Funding

Mr. Bhardwaj: Thank you very much, Mr. Speaker. Last week I met with two of my city councillors, and they indicated to me that \$190 million worth of projects over two years may be delayed. My questions are to the Minister of Municipal Affairs. Does city council have the flexibility to move its priorities?

Mr. Goudreau: Mr. Speaker, the answer is yes. There's already a lot of flexibility within the program guidelines. We also recently approved changes that give all municipalities added flexibility, and that's greater access to borrowing. Like the province, most municipalities are taking a balanced approach to budgeting, and our government is still a hundred per cent committed to providing Edmonton with its full \$2.1 billion MSI allocation.

The Speaker: The hon. member.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. My first supplement to the same minister: has the city of Edmonton received sufficient funding to support projects that make a difference to Edmontonians?

Mr. Goudreau: Mr. Speaker, the city of Edmonton has committed over \$618 million of current and future MSI funding to 52 accepted infrastructure projects. In fact, just this past Saturday the new Centennial bus garage opened in southwest Edmonton, and the city estimates that this \$99 million project will use \$89.3 million in MSI funding. That's about 90 per cent of the total project cost. This new

facility is a major investment and the first new transit facility to open in 25 years.

The Speaker: The hon. member.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. My final supplement to the same minister: if municipalities such as the city of Edmonton take advantage of current low construction costs, would the money they save still be available to them for additional projects?

Mr. Goudreau: Well, absolutely, Mr. Speaker. The example I quoted, the Centennial bus garage project, met its goal of coming under \$100 million. The city saved \$10 million in MSI funding that can support other qualifying projects. There are also many provincial funding sources such as Alberta Transportation for other projects such as the upcoming opening of key LRT lines in the city of Edmonton.

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

Cellphone Tower Siting

Mr. Fawcett: Thank you very much, Mr. Speaker. While cellphone towers are certainly a necessary part of our communications infrastructure, they can impose a cost on communities in which they're located. I'm sure that many of these problems could be avoided or minimized if there was appropriate consultation to determine the best site to locate these towers, but if the information that I'm getting from my constituents in Calgary-North Hill is right, this is not happening. My question to the Minister of Municipal Affairs: since the issue falls within both the municipal and federal jurisdiction, is your ministry doing anything to assist municipalities in dealing with the federal government on this issue?

2:40

Mr. Goudreau: Mr. Speaker, I just would like to clarify that Industry Canada has the final authority to approve the location of all telecommunications antennas and towers in various cities and municipalities.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. My first supplemental is to the same minister. Does your department have any standards or guidelines for public consultation by municipalities regarding the siting of these or similar structures that affect communities?

Mr. Goudreau: Mr. Speaker, as I said, this falls under the jurisdiction of Industry Canada. I do know that new guidelines were introduced by Industry Canada at the start of the 2008 year to control tower locations and to give the public more say. Telecommunication companies must contact the city. I understand the new guidelines say that the public should be notified, environmental laws have to be obeyed, and concerns addressed. In Calgary, for example, community consultation takes place if the location and height are outside the city policies.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. My last question to the same minister: since the provincial government is the direct link between municipalities and the federal government, does it not make sense to have uniform provincial standards for community consulta-

tion between municipalities and the federal government in regard to this issue?

Mr. Goudreau: Mr. Speaker, while the member is right that it's certainly an issue, again, between the federal and municipal governments, I'm prepared to look into the process to see if we can gain more information to see how we can move this forward.

The Speaker: Hon. members, that concludes the question period. Nineteen members participated today. There were 114 questions and responses. Eight came from the Official Opposition, four from the independents, and seven from the government members.

We will continue the Routine in 15 seconds from now with Members' Statements.

Members' Statements

(continued)

Western Cup

Mr. Hehr: Mr. Speaker, Alberta is home to thousands of gay, lesbian, bisexual, and transgendered Albertans. People are doing incredible work every day to strengthen and grow all aspects of our social, cultural, and political progress.

I am very proud to say that my constituency of Calgary-Buffalo has a very healthy community of LGBT Albertans. Just a few days ago they proved it by helping to organize a terrific event right in downtown Calgary.

From April 1 to 3 members of Calgary's LGBT community hosted the Western Cup, one of the premier gay multisport events on the continent. I was fortunate enough to attend the closing dance. They put on a terrific show, and I had a wonderful time. I might add, Mr. Speaker, that they've been doing this for 28 years now, with 450 athletes participating, making the Western Cup North America's oldest LGBT multisporting event.

Athletes competed in volleyball, running, badminton, hockey, even dodge ball. They also hosted the Canadian Gay National Curling Championship this year, a new milestone. If you'll forgive the pun, they really do rock.

Events like this one demonstrate how Albertans in the LGBT community are really giving back to their province with events that draw tourists, promote physical fitness, encourage healthy competition, and promote universal human rights. I am very proud of these participants, the volunteers, and sponsors and organizers who made this event possible.

I look forward to next year's Western Cup, and I encourage all Albertans to check this event out.

Thank you, Mr. Speaker.

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

Vaisakhi Day

Mr. Sandhu: Thank you, Mr. Speaker. I rise today to share some background information about Vaisakhi, which is celebrated each year on April 13 and all over the world.

Vaisakhi is one of the most important dates in the Sikh calendar. It is the Sikh new year festival, celebrated on April 13 or 14. It also celebrates the year 1699, the year Sikhism became a religion.

I am proud to say that earlier today we celebrated the first-ever Vaisakhi at the Legislature. All Canadian Sikhs are very, very proud of you, hon. Premier, and all members of this Assembly.

Mr. Speaker, you hosted this event, and a great time was had by everyone who came. I hope you enjoyed the food. The food and

entertainment were great, and I thank everyone who helped make this event such a success.

Vaisakhi is widely celebrated as a traditional harvest festival in several northern states in India. This festival also celebrates the harvest of the wheat crop, which is very important in rural India. Celebrations start before dawn when Sikhs come to their place of worship, which is called a gurdwara. There is a huge parade/celebration in India and around the world each year, and processions through towns around the world are also common. Edmonton's event is taking place on May 23 of this year. I hope all members of this Assembly come and take part.

For Vaisakhi Sikhs reflect on the values and morals taught to them by their gurus and celebrate the birth of the Khalsa. I would like to wish everyone a happy, happy Vaisakhi.

Thank you, Mr. Speaker.

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

Energy Efficiency Rebate Program

Mr. Dallas: Thank you, Mr. Speaker. Improving energy efficiency and increasing conservation are key components of Alberta's climate change strategy. As part of our approach one year ago the province announced a \$36 million investment in energy efficiency rebates for consumers. We expect the program will help us work together to reduce emissions by one million tonnes, the equivalent of taking 200,000 cars off the road for a full year, and we're well on our way. Since the program's inception in April 2009 Albertans have responded with phenomenal enthusiasm and have received more than \$10 million among approximately 50,000 rebates.

Recently our federal counterparts announced changes to the federal EcoEnergy retrofit program. I want to assure Albertans that there are no immediate changes to Alberta's provincial rebate program as a result of the federal government's changes.

I would like to thank our partners at Climate Change Central, who have played a critical role in the success of this program.

Mr. Speaker, as Alberta developed its climate change strategy, Albertans made it clear that they wanted to play their part in addressing climate change, and the success of this program demonstrates that they are. As a result of this program Albertans have become more energy efficient, they're saving money, and they're helping to reduce greenhouse gas emissions. After all, environmental stewardship is a shared responsibility, and the success of this initiative demonstrates that Albertans are willing to do their part to create a more sustainable future.

Thank you.

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

Excellence in Teaching Awards

Mrs. Sarich: Thank you, Mr. Speaker. Educators across our province rise to the challenge and do outstanding work to encourage children and youth to find their passion, to develop their learning abilities, and to enjoy their lifelong learning journey. Alberta's excellence in teaching awards program provides us all with an opportunity to give special thanks to teachers and principals from across the province who have played an integral role in enhancing learning experiences and successes for children and youth.

Nominees for the excellence in teaching awards are teachers and principals who use creativity and innovation to motivate learners to succeed. They show leadership and work collaboratively with their teacher colleagues to create a dynamic learning culture for all students.

This year out of 338 eligible nominations 136 teachers and principals were selected as semifinalists. They will be honoured at a special celebration dinner later this month and have access to \$1,500 for professional development. From the group of semifinalists 23 award recipients will be selected and formally honoured at a dinner and awards ceremony with the Education minister in Calgary on May 29. Of the 23 award recipients 20 will receive a provincial excellence in teaching award and will have access to \$4,000 for professional development to further develop their teaching skills. Three recipients will receive the SMARTer Kids Foundation innovative use of technology award, which includes a comprehensive technology package.

The excellence in teaching awards, Mr. Speaker, have been celebrated since 1989, with more than 8,200 teachers nominated and more than 400 who have received awards. I am honoured today to say special thanks and heartfelt congratulations to recognize all the teachers and principals across the province for the great, tremendous work that they have done. Congratulations to all of the recipients.

Thank you.

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

2:50

Cataract Surgery

Mr. Hinman: Well, thank you, Mr. Speaker. After taking on his latest portfolio, the Minister of Health and Wellness has finally told members of this Assembly that health care in Alberta has two arms. The problem is that they certainly do not lift or work together. Whatever this government touches, it causes disruption, instability, and too often outright chaos. No workable structure, no functioning system – only chaos and confusion – no vision, no planning, no surprise that Albertans are questioning this government's competence and ability to get things right.

This government has centralized decision-making, and their process of awarding contracts is flawed, to be polite. The results will not improve eye surgery for Albertans. The Premier and the minister of health tried to minimize the impact that changes to eye surgery times are having on the people who need these important operations. Too many people with vision problems are waiting and not able to drive and go about their important daily activities.

The request for proposals from eye clinics has worked well in the past. The new process is only driving out surgeons, their equipment, and their talented staff. In a year from now the new bids are going to be through the roof as they add all kinds of true capital costs and equipment costs in their next bids that in all likelihood were not included in this proposal. If they were, then assemble the inspection teams and release the detailed report showing the marks for both the price and the equipment and the facilities that are used.

Does the minister even know what a diamond blade knife is? Which blade would he want to be used on his eyes? Nobody needs an economic and business cornea transplant more than this government.

Notices of Motions

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

Ms Blakeman: Thank you very much, Mr. Speaker. According to Standing Order 30 I'd now like to give oral notice that at the appropriate time I'll be raising the following issue under the Standing Order 30 provision, which is, of course, the emergency debate provision, and that is:

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

namely that the change to Public Accounts requiring the chair of Public Accounts to obtain the signature of the deputy chair for all correspondence directly undermines the authority and autonomy of the chair and diminishes the established powers of the chair.

Thank you, Mr. Speaker. I have distributed copies of the motion to the table.

Introduction of Bills

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

Bill 16 Traffic Safety (Distracted Driving) Amendment Act, 2010

Mr. Johnston: Mr. Speaker, I rise today to request leave to introduce Bill 16, the Traffic Safety (Distracted Driving) Amendment Act, 2010, commonly called distracted driving.

I'm very pleased to bring forward this important piece of legislation. The increased use of cellphones behind the wheel is cause for concern for many Albertans as it poses a serious safety concern, but drivers can be distracted behind the wheel for many reasons other than talking on their phone. This legislation goes beyond a simple hand-held cellphone ban. Bill 16 amends the Traffic Safety Amendment Act to ban the use of hand-held cellphones, other electronic devices such as GPS, and other tasks such as personal grooming while driving. Hands-free devices or devices that require only one touch will still be allowed. Exceptions include the use of cellphones in emergency situations and for emergency personnel and for commercial purposes. This legislation aims to improve safety on our roads by encouraging drivers to keep their hands on the wheel and their attention on the road.

Thank you, Mr. Speaker.

[Motion carried; Bill 16 read a first time]

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I would move that Bill 16 be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

Tabling Returns and Reports

The Speaker: The hon. Minister of Children and Youth Services.

Mrs. Fritz: Thank you, Mr. Speaker. On behalf of the Social Care Facilities Review Committee I'm pleased to table five copies of their 2008-09 annual report. I'd also like to take the opportunity to thank the hon. Member for Calgary-Hays for his expertise in chairing the committee. It's an excellent report.

The member did indicate that the vast majority of the recommendations and responses from people were positive regarding the services that they received in a social care facility, Mr. Speaker. I know you'll be pleased to know that all of the issues that were identified by the committee have been or are currently being addressed through ministry programs or in consultation with the local child and family services authority.

The Speaker: The hon. Minister of Employment and Immigration.

Mr. Lukaszuk: Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of my responses to questions that had been raised during the February 16, 2010, Standing Committee on the Economy review of estimates of this department.

The Speaker: The hon. Member for Athabasca-Redwater.

Mr. Johnson: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of the Honours and Awards Investiture program for the military presentation of the Mention in Dispatches, the Chief of the Defence Staff Commendation, and the Canadian Forces Medallion for Distinguished Service. There are amazing stories of dedication and courage in these programs. The Deputy Premier and I were very honoured to attend this prestigious ceremony on March 25, 2010, at Edmonton Garrison.

Thank you.

The Speaker: The hon. Member for Cypress-Medicine Hat.

Mr. Mitzel: Thank you, Mr. Speaker. As chairman of the Standing Committee on Legislative Offices I'm pleased to table five copies of the report of the Auditor General of Alberta dated April 2010. Copies of this report have been provided for distribution to all the members.

I have another tabling, Mr. Speaker. As committee chair I'd also like to table five copies of the privacy impact assessment requirements for use with the Health Information Act, prepared by the office of the Information and Privacy Commissioner. This document provides new requirements for health care custodians in their preparation of privacy impact assessments.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm trying to retable something that I incorrectly tabled before. It is a letter that does not appear to be signed, but on the back of it is the transmittal requirements on the e-mail. This is a letter from constituent Mike Smit, a PhD candidate in computing sciences, expressing his extreme concern about proposed user fees and how that is going to challenge students even more. He came to Alberta because of the tuition cap, and he is really concerned about the loopholes.

Thank you.

The Speaker: The hon. Member for Lethbridge-East.

Ms Pastoor: Thank you, Mr. Speaker. I have two tablings, one of which was incorrectly done, and now I'm doing it correctly. I'm tabling the required five copies of the teen category winning photo from the 2009 Lethbridge public library's Caught Reading photo contest. This picture is entitled Anywhere, Any time and was taken by Miss Hannah Forster.

My second tabling, Mr. Speaker, is the appropriate number of copies of 12 postcards from Lethbridge teachers, which are only a small part of a larger number for the postcard campaign. These teachers are upset over the reduction in funding related to class size and wish that the Ministry of Education would reconsider that decision.

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

Mr. Chase: Thank you, Mr. Speaker. My tabling consists of copies of letters and accompanying permission to table from Colin Cantlie, a hard-of-hearing Calgarian, and from Snookie Lomow, the national executive director of the Canadian Hard of Hearing Association, to Dr. Sam Shaw, president of NAIT, regarding the proposed cancellation of the captioning and court reporter services program. They both emphasize the vital importance of this program, which is unique in Canada, extremely successful, and absolutely necessary for

the social and economic benefits of inclusivity not only in Alberta but in all of Canada.

Thank you, Mr. Speaker.

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

Ms Notley: Thank you, Mr. Speaker. I have three tablings today. The first is the appropriate number of copies of a CBC news story concerning the removal of antinuclear signs in the Peace River area. The story relates to the questions asked by my colleague the Member for Edmonton-Highlands-Norwood earlier today.

The second tabling is the appropriate number of copies of 124 postcards signed by Albertans calling on the provincial government to keep its promise to build 600 new long-term care beds. The postcards are part of a campaign sponsored by the Canadian Union of Public Employees.

The third thing I'd like to table, Mr. Speaker, is the appropriate number of copies of a petition with 728 signatures calling for an independent review of Children and Youth Services and its contracted agencies.

3:00

Tablings to the Clerk

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mrs. Klimchuk, Minister of Service Alberta, response to Written Question 14 asked for by Mr. Kang on March 15, 2010.

On behalf of the hon. Mr. Horner, Minister of Advanced Education and Technology, responses to questions raised by Mr. Chase, hon. Member for Calgary-Varsity, and Ms Notley, hon. Member for Edmonton-Strathcona, on March 9, 2010, Department of Advanced Education and Technology main estimates debate.

On behalf of the hon. Ms Redford, Minister of Justice and Attorney General, responses to questions raised by Mr. Hehr, hon. Member for Calgary-Buffalo, Mrs. Forsyth, hon. Member for Calgary-Fish Creek, Ms Notley, hon. Member for Edmonton-Strathcona, and Mr. Elniski, hon. Member for Edmonton-Calder, on February 24, 2010, Department of Justice main estimates debate.

Request for Emergency Debate

The Speaker: Hon. members, I advised the Assembly earlier that I would not draw the members' attention to Standing Order 7(7) if we had a point of order or a question of privilege or a Standing Order 30 application. We have such a one from the hon. Member for Edmonton-Centre. The chair has the authority to limit the amount of debate with respect to these, and in light of the question that will be raised and the research that I've done in the last two hours, I think I will today exercise the option to limit the debate on this question.

Hon. Member for Edmonton-Centre, proceed.

Ms Blakeman: Thank you. Can you share with me what you are limiting it to? Do I have a time limit?

The Speaker: Well, I'm not going to have 48 members participate.

Ms Blakeman: Oh, okay. The number of participants rather than the time.

The Speaker: Yes. No, you certainly have every right. Proceed.

Public Accounts Committee

Ms Blakeman: Thank you very much, Mr. Speaker. Okay. The notice of motion has been distributed. I'll admit that I'm finding this

a bit of a challenge because I've only been able to purchase one of the new versions of the *House of Commons Procedure and Practice*, and it stays here in the Assembly, so I'm not able to give you the references in the newer version. If you go online, it doesn't give you page numbers, so the references I'm giving you hearken back to the *Marleau and Montpetit* version. Sorry about that. It's expense.

The Speaker: That's not a problem.

Ms Blakeman: Thank you. Briefly, Mr. Speaker, this morning the government members on the Public Accounts Committee voted to radically change the independence of the Public Accounts Committee beyond the scope of anything anticipated by parliamentary process or tradition. The committee as far back as I can find has been chaired by a member of the Official Opposition. This is outlined in *Beauchesne 781* and *Marleau and Montpetit 768*. I found it in the new edition but no page number.

Other than the requirements of tabling the report in the Assembly and, of course, the majority vote that is held by the government members, who are a majority on the committee, no other constraints have been listed or are traditional in a parliamentary process to be placed on the chair of the Public Accounts Committee. This has been changed this morning, essentially assigning voting veto power to the deputy chair, who is a member of the government caucus, regarding correspondence.

When I looked at *M and M 588* regarding the scope under which Standing Order 30 could be positioned, Mr. Speaker, each legislative committee determines how they operate, but a Public Accounts Committee is unique, and such a change, therefore, is of utmost importance. When we're testing the importance and the urgency that's outlined, I would argue this is very important.

No attempt has been made to contact me as the House leader of the Official Opposition to negotiate institutionalizing this change across all of the committees, so I see this specifically directed at controlling the chair of the Public Accounts Committee, who, as we know, is a member of the Official Opposition.

Under *Marleau and Montpetit 584* we're testing for whether it's specific, whether it's urgent and important, and whether it requires urgent consideration. I would state, Mr. Speaker, that given that this is the last week of spring sitting – potentially, I suppose, it could be the last day or the second-last day – and that this change, that has now been passed by this committee, affects the operation of this committee over the next six months and there is no other opportunity to address it, it is urgent that the matter get debated now.

The Public Accounts Committee is the venue by which MLAs, the media, the general public, even members of government view the government's spending decisions in action and view the outcomes. So when I looked at the test in *Marleau and Montpetit 585*, "that is immediately relevant and of attention and concern throughout the nation," being that this is a customary committee across all of the Westminster traditions, I argue that, yes, it is of attention and concern throughout the nation. I'm sure that others will be watching this.

It's not relevant around chronic conditions or work stoppages, so I'm not going to argue that.

I noticed that there is a prohibition against highly partisan issues, that they're not usually approved. Yes, Mr. Speaker, I believe this is to be viewed in a partisan context, but the enormity of this decision demands a public debate and explanation. This was not a negotiation. This was a coup d'état, guerrilla warfare, and it is a pernicious way to silence an opposition voice on government accountability. When I look to the parameters set out in *Beauchesne's 387* to *393* on emergency debates, it's indicating the

primary issues are urgency and specifically whether there's an opportunity for the debate of this matter to happen under rules and provisions of the House. No, I do not see an opportunity.

We tried to raise a question this afternoon, to which we did not get an answer. This issue is not before the courts, where it could be examined there. It was not mentioned in the throne speech. There's no bill on the government Order Paper that would address it. It's not appearing in any government press releases or backbencher caucus media releases. There isn't a private member's bill on it or a motion. It wasn't addressed in the budget. There is no notice on the Order Paper for any supplementary supply budget that might somehow give opportunity for debate on this, no government motions, no motions other than government motions. So there is no opportunity to debate this in any other context that I can see. It's not appropriate for a written question or a motion for a return.

I notice under *Beauchesne's* 389 that the matter needs to be "so pressing that the public interest will suffer if it is not given immediate attention." I draw the Speaker's notice once more to the imminent end of session and the lack of opportunity for this to be discussed in any other way. Section 390 is looking that discussion could take place immediately.

I think that parliamentary process puts the Official Opposition member as the chair precisely so that no government or no Premier's office has direct control over the committee or over the chair. It is intended to be a committee that has robust inquiry, and I would argue further that it has the power to challenge. With the chair being a member of the opposition, it's less likely to take any gentle prodding to silence itself. I think that constraining the chair by instituting a veto power in conjunction with the government member as deputy chair for any correspondence is a major change, Mr. Speaker. It affects both the perceived and the real operation of this committee.

I looked at the new *House of Commons Procedure and Practice* under your criteria for a decision, Mr. Speaker, and I have looked at some of the tests there. I've talked about that it does not fall under the administrative responsibilities of government, nor is it within the scope of ministerial action. It is addressing only one issue, and it's certainly not reviving discussion on a matter already debated. It didn't come before this House. This is a legislative committee, Mr. Speaker. It wouldn't normally come up by means of a substantive motion, and it's not involving the administration of a government department. I've checked the other criteria that you're basing it on, and I don't see that it fails on the basis of any of that.

I would argue that I've shown it does meet the other tests that are required here. I'm aware that you have a limit on the number of speakers, and we're mindful of the time today, so I would argue that it is critical that the Assembly, seeing as no other opportunity is being given, discuss this. It has a profound effect on this committee and its ability to operate without being muzzled or directed by government. Therefore, I would argue that it is debated in this Chamber under the Standing Order 30 provisions.

Thank you very much for the opportunity to raise this.

3:10

The Speaker: Thank you.

Hon. Government House Leader, do you want to participate in this?

Mr. Hancock: Sure. I was observing. Usually I go second, and then I don't have a chance to respond to others, so I was waiting to see if others wanted to go. I'm happy to participate, Mr. Speaker.

Obviously, the test for Standing Order 30 is urgent public importance. I'd submit that it's neither urgent nor publicly impor-

tant. It's not urgent . . . [interjection] Well, let me explain. It certainly is an important step, but the question of public importance is another issue. Urgent: is it something that can only be dealt with now, can only be dealt with in this way? No. It's not. In fact, the Orders of the Day are more urgent than this particular issue.

What we have here, Mr. Speaker, apparently, is a situation where a committee which is in control of its own procedure, a committee which is in charge of its own agenda, has obviously raised some concerns with respect to the actions of its chair in setting that agenda or in dealing with its issues. There are a number of ways that a committee can deal with that. They can sanction the chair by motion, they can ask for the removal of the chair by motion, or they can do something short of that to express displeasure with the chair. It would appear that they've done something short of that to express displeasure with the chair. Obviously, the committee is concerned that the chair has used his authority in correspondence that he's sent out and gone beyond what the committee has sanctioned him to do or asked him to do. So this would clearly be simply a committee dealing with its business within its committee.

The hon. member as a member of the House has every right to send out any correspondence he wants to send in his own right, but he does not have the right to send out any correspondence that he wants as chair of the committee, purporting to be acting on behalf of the committee if, in fact, the committee has not sanctioned that action. So the action of the committee in passing a motion suggesting that the chair cannot act unilaterally on behalf of the committee is clearly within their purview, and it doesn't constitute a matter of urgency for this House.

There are other ways in which it could be dealt with. If the chair or the committee had some concerns, certainly, the committee could report to the House and then ask whether the House concurred in its report, and there would be an opportunity there for the House to take other steps if they thought there was a problem.

It's not a matter of urgency, and it's not a matter of public importance, Mr. Speaker. Not that the committee itself, the Public Accounts Committee, isn't publicly important; of course it's publicly important. It's one of those accountability structures of a parliamentary democracy that is very important. It's also very important that it be seen to be acting appropriately. If the committee members had concern about the correspondence being sent out by the chair on behalf of the committee, obviously they have some concern.

So it hasn't met the test of . . . [interjections] Mr. Speaker?

The Speaker: You have the floor.

Mr. Hancock: Thank you. The hon. Member for Edmonton-Riverview seems to think that this has something to do with something . . . [interjections]

The Speaker: You have the floor, and the chair is listening to you very attentively. Ignore others.

Mr. Hancock: Thank you. I have the chair's permission to ignore Edmonton-Riverview, and I will take that advice.

Dr. Taft: I'm used to it.

Mr. Hancock: You should be.

Mr. Speaker, Standing Order 30 is not the appropriate route to deal with this particular issue. If the committee has concerns about its operation, there are many avenues which it can use to deal with those concerns. It's chosen one relatively minor way to provide a sanction to its chair for stepping outside the bounds of his authority as chair. It's a gentle slap on the wrist, if you will, to a chair.

Ms Blakeman: For what?

Mr. Hancock: For stepping outside of his bounds. Obviously, the chair has been sending out correspondence that the committee didn't like or else it wouldn't be asking for the cosign. [interjections] This is not the situation for bringing forward evidence. People are yelling at me to prove it, and I don't have to prove anything at this instance. If they had a concern about something that needed to be proved, they could bring forward a question of privilege and go to Privileges and Elections, Standing Orders and Printing and ask them to investigate the matter, I suppose. That might be one option.

They could have a discussion in their committee with respect to the operations of the committee. They could have a robust discussion as to why the chair should or should not be able to carry out duties unilaterally and do things unilaterally. There are a number of circumstances which have been brought to my attention, which I am not prepared to disclose at the moment because I don't have any written evidence of them and they would just be rumour and innuendo on my part. I'm not going to get into this issue of what the actions were. There would be appropriate places to discuss that kind of action. That appropriate place isn't here and isn't now.

The Speaker: Hon. members, I indicated earlier that I've been studying this matter since a few minutes after 11 o'clock this morning, when the Standing Order 30 application arrived in my office, which certainly met the time requirement with respect to this matter. I'm always also cognizant of the traditions and the heritage of this Assembly and other Assemblies of the British tradition. I arrived very early to a conclusion that I would not put the question forthcoming because of some very important historical traditions with respect to Legislative Assemblies. I am prepared to rule. I think there's a time requirement with this, and I'm going to point out some other things as well. I'm prepared to rule whether the request for leave is to proceed.

I first of all indicated it certainly met the application for the time, but there are several reasons why the request for leave to adjourn the ordinary business of the Assembly under Standing Order 30 is not in order. First of all, it's very clear that this matter arose in the Standing Committee on Public Accounts. This issue concerns the procedure of the committee.

It is the chair's understanding that the motion was found to be in order by the chair of that committee. I've read the Blues with respect to this. Further, a vote was held. Then, as far as I can understand in looking at the Blues with respect to this meeting which occurred this morning, there was no appeal of the chair's decision to basically go forward with the call for the vote. The vote was called, and as I understand, there was no appeal reported in the matter of the committee then.

Traditionally what we've always accepted – and I certainly have in the 13 years that I've had the privilege of being the Speaker – is that the committee essentially conducts its own affairs within the committee. There are procedures that could have been followed and still can be followed to challenge the decision of the committee. They may not have been made this morning, but they certainly can be made at a subsequent meeting of this committee. *House of Commons Procedure and Practice* expresses this view on page 1047.

The idea that committees are “masters of their proceedings” or “masters of their procedures” is frequently evoked in committee debates or the House. The concept refers to the freedom committees normally have to organize their work as they see fit and the option they have of defining, on their own, certain rules of procedure that facilitate their proceedings.

So they may have a proceeding today, and at a subsequent meeting

they may change that proceeding. They can certainly have the right within the committee to do that and for members to deal with it.

Secondly, there is nothing in here that suggests to me – and, again, I have to be very careful about the words I'm going to say – that this is being raised as a point of privilege with respect to any matter. It would have to depend entirely on what the issue is because once again *House of Commons Procedure and Practice* at pages 149 to 152 in the second edition certainly has a chapter on privilege in committees, and we have a Practical Guide: Committees of the Legislative Assembly, which all members have with respect to such matters. I also would like to point out our own standing order of our Assembly, 30(7)(e), which states that a motion in this Assembly cannot deal with anything based on the question of privilege within a committee, going back again to the concept and the belief that the committee is, in essence, master or mistress of his or her own domain.

Thirdly, we did a very, very quick review of minutes of committees of this Assembly going back several years. Now, this is not conclusive, but on June 27, 2007, in the Standing Committee on Government Services there was a motion that was moved and was carried. It said that the chair and the deputy chair of the Standing Committee on Government Services “in conjunction with committee staff be empowered to prepare a press release and a list of stakeholders” for presentation at the next committee meeting. There was an event three years-plus ago. I'm guessing that the chair of that committee, the Standing Committee on Government Services, was a government chair and that the deputy chair – I don't know if it was an opposition member or not.

3:20

Then on October 31, 2007, tabling and release of the committee's final reports, there was a motion agreed to by the Standing Committee on Community Services that, once approved by the acting chair and the deputy chair and after tabling the final reports on bills 31 and 41 in the Legislative Assembly, a final news release be sent out and the final reports be made publicly available on the committee's website. That indicates it was agreed to.

We have minutes here from November 2, 2007, printing and tabling of final reports, et cetera: agreed by the Standing Committee on Government Services that the chair and deputy chair be authorized to work with support staff to prepare and approve a news release regarding the committee's final reports on Bill 1, the Lobbyists Act, and Bill 2, Conflicts of Interest Amendment Act, 2007.

In addition to that, I guess there's a fourth issue that I had to raise with respect to this. Standing Order 30(6), the one we're dealing with, provides that “An emergency debate does not entail any decision of the Assembly.” In the chair's view, the wording of the application violates this rule when it states that

the changes to Public Accounts requiring the chair of Public Accounts to obtain the signature of the deputy chair for all correspondence directly undermines the authority and autonomy of the chair and diminishes the established powers of the chair [in the end].

Methinks that this committee of Public Accounts will meet again.

Mr. MacDonald: We don't know when.

The Speaker: Well, I suspect there will be another meeting. I'm just guessing.

Ms Blakeman: How do we know? We can't call it without permission.

The Speaker: Well, I tell you what: if in six months hence there's no additional meeting of the Public Accounts Committee, let's have the committee come and visit with me, and we'll arrange to have one.

So I'm not going to put the question today. I've given a number of reasons, but the primary reason in all of this is that I really believe that if committees are to function and if participation on a committee is to be considered important and to be important – and I understand members actually compete with one another to be on some of these committees, and I suspect that a few minutes from now we're going to have a debate about membership on these committees. Committee membership is extremely important. Servitude on that committee is more than just important. I'm going to ask the committee and look forward to the committee looking at this matter as it continues to evolve with respect to this matter.

Orders of the Day

Government Motions

The Speaker: The hon. Deputy Government House Leader.

Committee Membership Changes

13. Mr. Hancock moved:
Be it resolved that the following change to
- (a) the Standing Committee on Community Services be approved: that Mr. Allred replace Mr. Johnson;
 - (b) the Standing Committee on Public Safety and Services be approved: that Mr. Johnson replace Mr. Griffiths;
 - (c) the Standing Committee on the Economy be approved: that Mr. Griffiths replace Mr. Allred.

[Adjourned debate April 13: Mr. Hancock]

Mr. Renner: Thank you, Mr. Speaker. I've been advised that since this matter was under discussion yesterday, there have been ongoing discussions between the Government House Leader and the Official Opposition House Leader as well as the Member for Calgary-Currie to facilitate and accommodate the participation of the Member for Calgary-Currie on standing committees. To that extent, I would like to propose a subamendment to the amendment that's currently before the floor.

The Speaker: Okay. It will be circulated as you proceed with it. Other members might want to just be apprised of this. Look at Votes and Proceedings, which should be on your desk. If you look at page 4 in Votes and Proceedings, you will see the original motion, Motion 13, and then you will see the amendment put forward by the hon. Member for Edmonton-Centre yesterday. That's included on that page. As I understand now, hon. Deputy Government House Leader, you will now introduce a subamendment. In essence, there'll be three items we'll be talking about. Please proceed. That matter is being circulated.

Mr. Renner: Thank you, Mr. Speaker. I don't think it requires any explanation. It's self-explanatory. But for the record I will read the subamendment into the record. I would like to move that amendment A1 be amended as follows:

- A. By renumbering part A as part A.1 and adding the following before part A.1:
 - A. By striking out part (a) and substituting the following:
 - (a) the Standing Committee on Community Services be approved: that Mr. Allred replace Mr. Johnson, that Mr. Taylor be appointed to the committee;
- B. By striking out part A.1 and substituting the following:

- A.1 By striking out part (c) and substituting the following:
 - (c) the Standing Committee on the Economy be approved: that Mr. Chase replace Mr. Boutilier, that Mr. Chase replace Mr. Taylor as deputy chair, and that Mr. Griffiths replace Mr. Allred;
- C. By striking out part B and substituting the following:
 - B. By adding the following after part (c):
 - (d) the Special Standing Committee on Members' Services be approved: that Ms Pastoor replace Mr. Taylor.

That is my subamendment, Mr. Speaker.

The Speaker: Hon. members, we will now proceed with discussion on the subamendment just introduced by the hon. Deputy Government House Leader. If any member would like to participate on the subamendment, we'll take them one at a time.

The hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks very much, Mr. Speaker. As this is a subamendment to my amendment, I'm fine in supporting what has been put forward here. I was not in a position and it would have been highly irregular for me to have chosen the committees that Calgary-Currie would have sat on, and it wasn't for me to negotiate that. I just had to look after my own caucus, which is what I was attempting to do. It looks like all necessary arrangements have now been made, and I think that the subamendment works out fine as far as we're concerned as well.

Thank you very much, Mr. Speaker.

The Speaker: Shall I call the question?

Hon. Members: Question.

[Motion on subamendment SA1 carried]

The Speaker: Shall I now proceed to call the question on the amendment?

Hon. Members: Question.

The Speaker: Is that fine with everyone? Okay. On the amendment put forward by the hon. Member for Edmonton-Centre and found on page 4 of Votes and Proceedings for today's purposes, will all hon. members please say aye who support it as amended. We'll get to the motion as amended later. Right now we're dealing with the amendment. Everybody knows what it is: what was put forward by the hon. Member for Edmonton-Centre yesterday.

[Motion on amendment A1 carried]

[Government Motion 13 as amended carried]

The Speaker: Thank you very much for your co-operation, by the way, with respect to this. It solved some issues that needn't become issues. Good work.

Private Bills Committee of the Whole

[Mr. Mitzel in the chair]

The Deputy Chair: Hon. members, I'd like to call the committee to order.

Bill Pr. 2
Canada Olympic Park Property Tax Exemption
Amendment Act, 2010

The Deputy Chair: We are dealing with amendment A1. Any comments or considerations or questions or amendments to be offered with respect to this bill? May I also remind the Assembly that Pr. 1, Pr. 2, and Pr. 3 were debated fully by all parties at other committee meetings.

The hon. Member for Edmonton-Centre on amendment A1. Pr. 2 is the Canada Olympic Park Property Tax Exemption Amendment Act, 2010.

Ms Blakeman: Yes. Sorry. We are debating Pr. 2, and it was amended yesterday. Yes. Thank you very much. My concern around this private bill was really to ensure that it was not possible to manoeuvre away from the public ownership of this land and the facilities on it with the protection of the tax status with it and manoeuvre that and roll it over into a private company.

3:30

I know that one of the things that has been talked about around this land – the Minister of Culture and Community Spirit had talked about negotiating some of this land to be used as a film studio, but the understanding is that the film studio would likely be a private endeavour. I think we'd need to be very careful and very knowledgeable before we got to the point where the protected property tax status of this land would be extended to a private entity. Even if it is an entity that we value and would like to see integrated into our film industry in Alberta, I think we'd have to be really careful about that one.

I understand that they have petitioned for the exemption on the new land, and that's fine with me. I'm just looking for the reassurance that it would continue to be protected as public ownership or not-for-profit ownership and that that special tax status would not be extended to a private entity or corporation. Those were the concerns that I had. If that's going to be embarked upon, then it needs to come back here as a very wide-ranging discussion because if we open that door, there's a lot of different things that are going to walk through it that want that same kind of tax status and protection that would normally be considered a private entity or a private industry. That's my concern around this issue.

Thank you.

The Deputy Chair: Do any other members wish to speak to the amendment? Should I call the question on the amendment as proposed by the hon. Member for Calgary-Bow?

Hon. Members: Question.

[Motion on amendment A1 carried]

The Deputy Chair: We are now back to Bill Pr. 2 as amended. Any comments or questions with regard to this? The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you. I, too, rise with just one or two concerns, of course, about what this bill is seeking to achieve. Obviously, in principle the objectives of CODA are those that we should consider supporting, but it looks to me like we are looking at abdicating our entitlement to significant tax revenue or roughly 70 per cent of what's there right now, based on what is currently exempt and what would become exempt under this piece of legislation.

It appears to me that the limits on ensuring that we're not

ultimately giving the benefit of this tax exemption to those who are utilizing this resource as a means of earning profits in one form or another are not clear enough in that the exemption simply exempts lands or improvements that are for the purposes "solely of a for-profit commercial nature." But it would seem to me that with the inclusion of that word "solely," in essence you could have a development that anticipates or contemplates a partial for-profit component that would still enjoy the benefit of the tax exemption which is being extended under this legislation. That seems to me to be providing a benefit to a particular group of potentially for-profit players at the expense of others, and it doesn't seem to make sense to me, really. I mean, we ask everyone else to either pay property tax or to incorporate that particular cost into their business plans, and I'm not sure why we wouldn't do that in this case.

Quite honestly, probably the biggest problem that we have here is the inclusion of the word "solely" in the exemption from the application of the tax-free status in that it allows for an 80 per cent for-profit development to forgo paying taxes. That seems to me to be not in the public interest, hence our concern with this bill.

Thank you.

The Deputy Chair: Any other members wish to speak to Pr. 2?

Ms DeLong: I just want to take a moment to reassure the people who are concerned about profitable enterprises being able to get a tax-free status under this bill. If you look into the details especially of the amendments, you will see that we have very, very, very carefully and explicitly taken that out.

I ask everyone to please support this bill.

The Deputy Chair: Are you ready for the question?

Hon. Members: Question.

[The clauses of Bill Pr. 2 as amended agreed to]

[Title and preamble agreed to]

The Deputy Chair: Shall the bill be reported? Are you agreed?

Some Hon. Members: Agreed.

The Deputy Chair: Opposed?

Some Hon. Members: No.

The Deputy Chair: That is carried.

Bill Pr. 3
Lamont Health Care Centre Act

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Edmonton-Rutherford.

Mr. Horne: Thank you very much, Mr. Chair. I wish to move an amendment to Bill Pr. 3, the Lamont Health Care Centre Act. With your consent I'll dispense with reading the amendment while it is distributed and just offer a couple of quick comments to highlight the nature of the amendment. This bill was reviewed by the Standing Committee on Private Bills, and I would like to thank the chair of the committee, the hon. Member for Calgary-Nose Hill, and the members for their very thorough review.

The amendment which is being distributed deals with two issues that arose in the course of the committee's review, Mr. Chair. First of all, the protection from liability clause for the members of the board of management of the Lamont health care centre, which will be continued under the proposed legislation. Secondly, the amendment deals with section 11 of the proposed legislation, which deals with the terms of dissolution of the corporation, again subject to passage of the legislation.

The Deputy Chair: We are speaking to amendment A1. Any comments or questions with regard to amendment A1?

The hon. Member for Edmonton-Riverview.

Dr. Taft: Thank you. If I may ask the Member for Edmonton-Rutherford, just to be clear here because I was at the Private Bills Committee meeting, where this was discussed: is the amendment that he's brought forward here entirely in line with the discussion at that committee? There have been no changes or anything?

The Deputy Chair: The hon. member.

Mr. Horne: Yes. Mr. Chair, I can confirm that this amendment is identical to what appears in the report of the committee.

The Deputy Chair: Are you ready for the question?

Hon. Members: Question.

[Motion on amendment A1 carried]

The Deputy Chair: Any comments or questions on the bill as amended?

Hon. Members: Question.

[The clauses of Bill Pr. 3 as amended agreed to]

[Title and preamble agreed to]

The Deputy Chair: Shall the bill be reported? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Opposed? That is carried.

3:40 **Government Bills and Orders
Committee of the Whole**

**Bill 7
Election Statutes Amendment Act, 2010**

The Deputy Chair: Are there any comments or questions regarding this bill? The hon. Member for Edmonton-Riverview.

Dr. Taft: Thank you very much, Mr. Chairman. I'm just confirming: how many minutes do I have to speak?

Ms Blakeman: Twenty.

Dr. Taft: Twenty. Okay. Thank you.

There are many parts of this bill that I have a desire to comment on, but I'm going to focus my comments this time on one particular issue, which to me is of very, very deep importance. That has to do with the part of this bill that allows the piloting of electronic voting . . .

The Deputy Chair: Hon. member, I wish to advise that we are speaking to subamendment SA1. When we last adjourned, we had subamendment SA1, which was moved – I don't know if you have the wording there – which said to strike out the words that follow “section 44.1(1)(g)” and substitute “by striking out subclause (iv) and substituting the following”:

- (iv) advertising by the Government required to address public safety, the provision of adequate health services or to communicate employment opportunities to the public.

Dr. Taft: Okay. Thank you. It's been a little while since we debated this bill.

This subamendment was one brought forward at our suggestion. We agreed with the spirit of the original amendment, which was to strike government advertising during an election campaign. But as we thought about it, we thought: well, you know, we need to think this through because if there's a public emergency or if the government wants to recruit people or things like that, there are select purposes for government advertising that would be legitimate whether it was an election campaign or not.

That is why we proposed this subamendment. It would allow some of the crucial advertising of government to proceed during an election campaign if it addressed very, very specific, well-defined issues of public safety, health services, or employment opportunities. Otherwise, it would still achieve what the original amendment intended, which was to disallow advertising that, frankly, can be unduly partisan in glorifying the achievements of the government during a campaign, which is simply unfair.

That was the idea of our subamendment, Mr. Chairman, and I would urge all members to support it. Thank you.

The Deputy Chair: Any other comments on subamendment SA1?

The hon. Member for Calgary-Glenmore.

Mr. Hinman: Yes, Mr. Chairman. I appreciate being able to stand up to make a few more comments. The amendment and the part that I have a concern with is where it says: anything that the government sees as a threat. It's always tough to make a bill and to see how far we need to expand it.

Do you have a copy that I could see because I don't have mine in front of me.

Ms Blakeman: There are the two pieces. There's yours, and there's mine.

Mr. Hinman: Is the threat there, though?

Ms Blakeman: No.

Mr. Hinman: Did you remove it after I talked to you?

Ms Blakeman: I don't know.

Mr. Hinman: That the government “address public safety, the provision of adequate health services or to communicate employment opportunities to the public.” That's important, and we agree with this amendment in the fact that it needs to go forward, but I'm just not sure if further in the bill, when it talks about things that it can advertise, everything has been struck.

The one other area that concerned me – and we'll do a little bit more research on it here as we're going – is the threat for public safety because one of the things that I've learned in opposition is that this government very much sees the opposition as the threat and

would want to bring that in as advertising and use it as a legal loophole to . . .

Dr. Taft: They don't look too threatened yet.

Mr. Hinman: Well, it is a threat, nevertheless, whether they're aware of that or not.

At this point in the middle of a campaign they could wake up and realize that they have some problems, so I think that we need to be very careful in what the government can and will advertise during an election. It needs to be very limited to addressing public safety in a real sense. You know, like I say, if there's a pandemic coming out, if something happened up north, whatever it is, it's critical that the government does put forward the concerns and the safety of the citizens first in a nonpartisan way.

We see the value of this amendment, to restrict it to be very limited to public safety and not just the whim or the arbitrary decision of the government to think: oh, this will help if we talk about some arbitrary falsehood, whether it's about water or the environment or something else that they seem to try and promote and advertise as "Oh, this is safe; this is a new procedure; it's okay to go forward" or to somehow enhance their campaign along with some public advertising to say, "This is safe" or "This should be promoted" or "This is a new program that we should adopt." It could be anything. For example, right now we see numerous advertisements going out on Bill 50 and the fact that this is a good thing, and it's needed here in the province, when, in fact, a needs process should be going forward. We're concerned about that but think that this amendment is good. We'll be voting in favour of this amendment.

The Deputy Chair: The hon. Member for Airdrie-Chestermere on the subamendment.

Mr. Anderson: On the subamendment. The hon. member keeps saying: we want to vote in favour of this. I just want to clarify that he wants to, and I also do want to vote in favour of this amendment of my own free will. I just came from a caucus where I didn't have that freedom, so please let me express it.

I do absolutely support this amendment. I was confused earlier. This is an amendment to the amendment that I originally brought forward. I think it actually makes my original amendment stronger, so I very much do agree with it.

Obviously, if there's a public safety concern, you know, if there's tainted drinking water or tainted beef or tainted something, we need to be able to get that message out to the public even if it's during an election period. The same, of course, with health services, as my hon. colleague talked about, with regard to H1N1 or whatever possible thing could come up, and opportunities for employment as well. Those need to be out there. Obviously, jobs need to be filled during the election.

Now, as with any statute it could be abused. I know that there are some people over on the other side of the House and on this side of the House – we have a diverse group in here – that believe that some things are a threat to public safety; for example, CO₂. Some people would say that is a threat to public safety. So we've got to make sure that, you know, it doesn't become a campaign issue, and they say, "Oh, well, we're going to put all this advertising into saying what a great job we're doing on carbon capture and storage" or "What a great job we're doing on X, Y, and Z because it's a public safety concern" and therefore find a way around the purpose or the intent of this amendment.

I think the intent of this amendment is public safety, meaning a

real and imminent threat that we need to deal with in the right here and now or else people will be injured, people will die, homes will be lost, et cetera, immediately. If that is the spirit of the amendment – and I'm sure it is – then I have no problem supporting it as it does strengthen the legislation.

Thank you.

The Deputy Chair: Any other members wish to speak?

I'll call the question.

[Motion on subamendment SA1 lost]

The Deputy Chair: We are now back to amendment A1. Hon. members, any questions or comments on amendment A1 as proposed by the hon. Member for Airdrie-Chestermere? The hon. Member for Airdrie-Chestermere.

3:50

Mr. Anderson: Okay. Yes. As I noted earlier, we do absolutely support this amendment, and since I introduced it, that would make sense. The reason for this is very simple. First of all, there is no one in the province of Alberta, no entity in the province of Alberta that has more ability to spend money than the government of Alberta. It has the most capital and the most money of any entity, organization, or otherwise in the province. It's a huge amount of spending power, and what I continue to see – and you see it in all governments, frankly, across the country – and something I disagree with is when they use advertising to promote something that they're doing, and really it is partisan. I mean, in effect, it is a partisan advertisement, but because they don't put the logo of the party on the site and it's the government of Alberta logo on the site, then it's therefore okay.

It's a tremendous, tremendous waste of money and resources and very unfortunate. Really, in my view, any such public relations exercises should not be allowed. If it's an issue of public safety, as was pointed out earlier, if it's a health issue or whatever, severe weather warnings and advertisements for programs to get over a drought that's occurring, I totally understand that and support that. But I heard on the radio a couple of weeks ago how wonderful Budget 2010 was. "Oh, Budget 2010. It's going to help us do X, Y, and Z, and it's going to cure all ills, and its going to do this and that." You know, of course, many of us in this Chamber, including some on the government side, I know feel that that budget was an absolute disaster. That's a matter of debate, though. I agree with that. Some people think it's great; some people think it's a train wreck. We can agree to disagree.

Why should we be using taxpayer funds to promote a budget? There is no public interest in doing so. No one is going to escape harm because they hear on the radio how great Budget 2010 is. So it's an important distinction to make between relevant government advertising that is being used to promote a public purpose or a public good as opposed to just government spending money on advertising to promote their own interests.

Even in a nonelection period I have a problem with that type of advertising, a huge problem with it. During an election period that is absolutely unacceptable. I'll tell you that I can picture it now, and you can take this to the bank. If we go to an election in 2012, it is probably going to work out something like this. They're going to pass the budget. They're going to claim that it's balanced. It won't be, because they won't be including the cash deficit. Anyway, they may claim it. If they're lucky, they may get back to a book balance, and then they will immediately drop the writ and then charge off. I can just see the advertisements from the government of Alberta: Budget 2012, back in the black; the first jurisdiction to do this.

Whether that's true or not, you know, you can just see it. You can just hear the airways and just millions and millions of dollars being used for that purpose. Well, in my view, that would be, especially during an election period, just a gross misuse of public funds, and it would be extremely undemocratic, even more undemocratic than doing it in a nonelection period.

Mr. Chair, this is all governments. I mean, this PC government does it all the time, but they're not the only government in this country to do that. There are others. The provincial and, frankly, the federal government, both parties, do this. It's something that we need to improve and we need to be an example of in this province, that we will not do that, that public monies will be used for nonpartisan purposes and not for partisan purposes specifically with regard to advertising the wonderful, great things that the government is doing when, really, there is no public interest in doing so. There's no reason.

Obviously, people have to let the public know about different programs and those types of things, and I understand that. Like I said earlier, if there is a drought relief program or if there is some program that people need to access, there is a place for that. It shouldn't all necessarily be on: "We're so great. We're so great. The government is dealing with this problem, and this is the program and so forth." But if you need to put out materials about certain seniors' support programs that are out there and things like that, how to access them, how-to sheets, that's totally legit, totally legitimate. Frankly, that's what an MLA's office and website is for. There are other things to do that, but it just seems that with government they never go halfway. They always seem to, you know, go: "Oh, great. We've got this thing that we need to advertise. We need to tell everybody how great we are." And they go all out. They get it on Hockey Night in Canada. They get it on TSN during the Olympics or something. I mean, it just goes on and on and on. I just don't see the purpose of that, and I think it's wrong.

Again, I would like to see those things cleaned up in this government and also in other governments. There's no place for that type of partisanship during an election period. There's no reason that we're struggling to find health care workers to fill the different pieces of infrastructure that we've built in the health care system when we are, you know, thinking about cutting \$70,000 from Alberta Hospital, although thanks to one of the hon. members across the way who managed to put a stop to it. When we're here trying to make sure that we're cutting and trimming and trying to be efficient, before we do anything, especially to vulnerable Albertans, maybe the first thing we should be looking at is: what's the stuff that's really not helping anybody? This type of partisan advertising is the type of thing that is going to hurt or is completely useless to vulnerable Albertans or to any Albertans, frankly.

You know, again, I think of education. I think of what I brought up in the House earlier with the school issue in Airdrie right now. I mean, it really is something else. I know every jurisdiction has their issues, but this is a serious, emergent situation in a town that's gone from 20,000 to 45,000 people in just about 10 years and continues to grow at an incredible rate. People don't seem to realize that, and that's why I try to bring it up. The point is that \$15 million would build us a school in Airdrie. Meanwhile, we're spending even in my constituency, other than the rathole replacement in the south of Airdrie, we're still spending tens of millions. I think it's something like \$50 million in road improvements in Airdrie-Chestermere. Well, I've talked to my constituents about this. Sure, there are some that want them. I want them. But they would be willing to put that off if it meant \$15 million for a school. They'd be willing to put off 30 per cent or 50 per cent of those road improvements a couple of years if it meant getting a school built in Airdrie.

When we can't even build the amount of schools that we need, that means we're spending money in other places that we shouldn't be. If there's one place, one area where we should not be spending that type of money, it's on political advertising or semipolitical advertising during an election period or before an election period.

With that, Mr. Chair, you're looking at me as if you want to hear from somebody else, so I will sit down and let my hon. colleagues speak to this. Thank you.

The Deputy Chair: Any other members wish to speak on amendment A1? Hon. Member for Calgary-Glenmore, do you wish to speak on amendment A1?

Mr. Hinman: Yes. I just need to be on the record. I was very disappointed that the last amendment didn't pass. Government advertising is a real concern, and it needs to be restricted. I just once more have to go on the record saying that this is wrong. There are just so many areas where they're going to look at twisting the rules a little bit and saying, "Oh, this is okay; we're talking about the health of Albertans and the importance of CO₂ sequestration" or "We're talking about the safety of Albertans; we're looking at needing to spend \$15 billion on a Rolls-Royce power line." Those things are very potential. This is about advertising and who is doing it.

4:00

It's a real concern to me. I think that government advertising needs to be restricted. We've put two amendments forward, are very disappointed that the government has voted those down. I very much see that this is going to be voted down as well because it's going to be even more restrictive than the last one, which was a good amendment to ensure public safety.

I just have to be on the record once more. It's one of these things that really should be a standing vote – but we're not going to go for that – to show the accountability of people saying: "Well, no. We think government should have the arbitrary decision of deciding those things." I just have to speak in favour of this amendment and hope that we'll come to our senses and put Albertans first.

Thank you.

The Deputy Chair: The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you. I will attempt to be brief on this because I know there are other speakers that want to get on to other issues. However, I do want to rise to speak in favour of this amendment. This is a government that has been in power, by the time we get to the next election, for 40 years. There are deeply, deeply embedded patterns of behaviour within this government and their relationship with the public service that are very, very poisonous, frankly, to the health of our democracy.

One of those things, of course, is the way in which government will very conveniently use their Public Affairs budget to promote their political objectives, and there's no question that that happens more and more during an election. There are so many different ways that you can identify that. One member has talked about how, you know, we were quite surprised to hear little jingles and ads on radio stations promoting the budget just a month and a half ago. I have to say that I thought that had taken it to a new level.

I look at the government website, and I see that the colours look remarkably similar to the Conservative Party colours, as does the font. Interestingly, the website itself features the Premier. What does the Premier's face have to do with the policy issues that are talked about on this particular public service government website?

Nothing. The reason the Premier is there is because he's their political leader, at this point in time anyway, and that's the person whose profile this money is being used to enhance.

As it is, there's a tremendous inequity, a tremendous malaise in terms of democracy in this province. Of course, we already have election financing rules that ensure that we are the Wild West of vote buying here in this province, and the last thing we need is to also give this government the opportunity to do advertising on political issues over the course of a political campaign. So a limitation on that would be completely reasonable and would be a sound understanding of a level playing field and fairness. Should the government choose to vote this amendment down, then clearly it will be another example of them once again rejecting the notion of a fair playing field and their full commitment to equal democratic participation.

I urge members, as a result, to actually support this amendment because I think it's one that's much needed to improve the equality and fairness of our democratic process. Thank you.

The Deputy Chair: Any other members wish to speak on the amendment?

If not, I'll call the question.

[The voice vote indicated that the motion on amendment A1 lost]

[Several members rose calling for a division. The division bell was rung at 4:04 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For the motion:

Anderson	Boutilier	Notley
Blakeman	Hinman	Taft

Against the motion:

Berger	Hayden	Olson
Campbell	Horne	Prins
Dallas	Jablonski	Quest
Danyluk	Jacobs	Redford
DeLong	Johnson	Renner
Denis	Knight	Rogers
Doerksen	Leskiw	Sherman
Elniski	Liepert	VanderBurg
Evans	Lindsay	Vandermeer
Fritz	McFarland	Weadick
Hancock	McQueen	Zwozdesky

Totals:	For – 6	Against – 33
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[Motion on amendment A1 lost]

The Deputy Chair: This takes us to Bill 7. Any comments or questions on Bill 7? The hon. Member for Edmonton-Riverview.

Dr. Taft: Thank you so much, Mr. Chairman. I will be speaking in the next several minutes to section 4.1(1) of the bill, which is on page 4.

The Deputy Chair: Hon. member, I hate to interrupt, but may we revert to Introduction of Guests for a moment?

[Unanimous consent granted]

Introduction of Guests

(reversion)

The Deputy Chair: The hon. Member for Lacombe-Ponoka.

Mr. Prins: Thank you very much, Mr. Chairman. I would like to introduce to you and to all members of the Assembly some very special people to me: my wife, Pauline Prins, and my son Wayne Prins and my daughter-in-law Renée Prins from Fort McMurray.

Thank you very much.

Bill 7

Election Statutes Amendment Act, 2010

(continued)

The Deputy Chair: Hon. member, thank you for indulging us. Please proceed.

Dr. Taft: I'm happy to do it.

We'll try again. I am speaking, as I was saying, Mr. Chairman, for the next several minutes specifically to section 4.1(1) of the bill, which is on page 4. This section of the bill allows the Chief Electoral Officer to test in a by-election the use of election procedures and equipment that are different from those which are required by the act.

I know from what I've read and heard that one of the options being considered is electronic voting, Internet-based voting. I have thought about this, and there have been some discussions in our caucus on this. My comments are strictly my own, but I do feel very strongly about this, Mr. Chairman. In this Assembly we have discussions on things that are good or things that are silly or things that are pointless or uninformed or misguided, depending on our feelings. I actually think that in considering this – and this may sound melodramatic – we have to consider evil. I think it's incumbent on us as legislators, when we weigh the pros and cons of electronic voting, that we actually get down to some of the most unsavoury and difficult aspects of human nature, including, as I say, the word "evil." That's not a word I use lightly.

There are, Mr. Chairman, I suppose many views of history, two of which I'd like to mention. One is that things are advancing, that over the long haul we're on this move as a civilization to better and higher and happier levels, that as one generation leads to the next and one century leads to the next, things are just on this constant process of improving. On the other hand, there's a sense that history is actually just an unending struggle. It's a contest; it's a struggle of often many forces at once between right and wrong and good and bad and enlightenment and darkness and however you want to put it. But it is an unending struggle, and the outcome is always in peril.

Mr. Chairman, my particular view is that of the second. I'd like to think that history is on this unending course to paradise, but my reading of history is that, in fact, we are in an unending struggle, a contest. In light of that, I think that the advances and freedoms and prosperity that we enjoy right now require constant vigilance. It requires far-sightedness. It requires toughness and discipline. History is absolutely filled with dead civilizations. We think probably immediately of the western heritage of Rome. For those of us who have been to Italy or many parts of the Mediterranean, you can walk through glorious ruins of a civilization.

4:20

Of course, before Rome in our tradition there was Egypt. Before Egypt there was Persia, and on it goes back. Or you can travel around the world. You go to South America. Go to Machu Picchu, where my wife hiked about three years ago and brought back photos

that are just breathtaking. How was this done? This was a civilization that was actually lost to human knowledge until, you know, a hundred years ago or so. Of course, other places come to mind. Angkor Wat, Borobudur in Indonesia, where I spent some time about a year and a half ago: spectacular civilizations completely gone.

I cannot help but go to those and think: well, what's in store for our civilization? Are we so brilliant, are we so exceptional that all the rules of history that have applied to everybody before us do not apply to us? I can never come away feeling that confident. I feel that sooner or later this civilization that has been so generous to all of us will be lost, and it's our responsibility as citizens and as legislators to keep it alive and healthy and vibrant for as long as possible.

To me, democracy, which really is what is underlying Bill 7, has to be understood in that context. We think that democracy is ancient. We think of ancient Greece, you know, the golden age of Athens and Plato and Socrates and the citizens of Athens, all of whom were male landowners, meeting and hashing out the details in their wonderful temples and stadiums. But that golden age lasted barely a lifetime, really, before Athens was conquered by Sparta and essentially wiped out.

We think of the Magna Carta, and we say: well, democracy as we've known it has been around at least since the Magna Carta, 800 years. But I can tell you that the Magna Carta, the political society at the time of the Magna Carta, bears virtually no resemblance to what we enjoy today. At the time of the Magna Carta that was really just a product of raw political muscle coming to a compromise between barons and the monarchy. Sure, it laid the route for democracy, but to think that democracy as we know it now is anything like what was around 800 years ago is misguided.

What we have today is a representative democracy in which everybody over the age of 18 has the right to vote. That's a remarkable achievement. We have to remember that it's in the lifetime of probably just about every member of this Assembly that First Nations people got the right to vote. Think about that for a minute. It's in our lifetime, the early 1960s, that First Nations people got the right to vote, and it's in the lifetime of the former Lieutenant Governor, Norman Kwong, that Chinese people got the right to vote here. It's not even a hundred years since women got the right to vote here. Our democracy is extremely brief. It's not this great, long, ancient tradition. It's brief. We have a responsibility to nourish it, and we cannot gamble with it.

I did a little bit of math. If we were to imagine about 10,000 years of human civilization since humans began gathering in villages and so on, and if we were to take that as a day, then in the period of time since Alberta women got the right to vote, it's 14 minutes to midnight. It's that brief. In a long, long stretch of human history democracy as we know it now is but a moment.

We need to protect our right to vote, and we need to protect its credibility. That's why I'm opposed to the sections in Bill 7 that allow and encourage and facilitate the Chief Electoral Officer to move to electronic means of voting.

Canadians tend to be naive. We are the Dudley Do-Rights of the world. We go in, and we think: well, everybody is going to play fair, and nobody is going to be dirty, and we'll all follow the rules. I went to a movie the other night. I wouldn't recommend it. It wasn't a very good movie. It was called *Dining with Stella*, and it portrays in many ways the terrible naivety of Canadians in other cultures.

The world is not a nice place. The world is filled with evil and threats and dangers, and we need to recognize that. Even in our own province in the last decade there was a major voting scandal in Calgary, the ward 10 voting scandal. Well over a thousand fraudu-

lent ballots were cast. How was that caught? It was caught because they were ballots. It was caught because an official paying attention noticed that ballot after ballot had a consistent signature, and they were all physically delivered at the same time to the same place. That's how that was caught. To the credit of that official she blew a whistle. The police were called in, and actually a former member of this Assembly very nearly got drawn into that. I believe his house was actually raided. But we don't need to go there. My point is that there are people out there who will deliberately set out even in our own province to cheat an election in the most blatant way.

There are, of course, much smaller examples. We've had them. I bet many members have. The former Member for Edmonton-Decore, Bill Bonner, who was in an extremely close election call in 2001, ended up in a situation where there were dozens and dozens of special ballots, all with the same signature. The former Member for Edmonton-Ellerslie was actually a returning officer there, too, and after the election saw documents that were special ballots supposedly signed by one of his constituents. They were dated, and in fact that constituent was in India when the election was conducted. Somebody had fraudulently signed those ballots. So we cannot be naive. We cannot be naive.

The great risk, the potentially fatal risk to democracy with electronic voting is that there is no physical record. There's no opportunity to audit. Everything is just buzzed into this black box, and out comes the result. Who's to say if it's accurate or not? Of course, we'll hear from some members: well, we can do our banking electronically, so why can't we vote electronically? This is where the matter of evil comes into this. I think: let's not be naive. Imagine a situation, again in most of our lifetimes – I'm talking like I'm an old guy here. I guess I'm getting that way. Imagine the cold war and the Soviet Union and the interest those countries might have, if they were still going today, in hacking into an electronic voting system and rearranging the results. It could happen.

In fact, there was just a major story that broke the other day. I brought a copy of it, Mr. Chairman: Internet Spy Ring Uncovered. It talks about a group of Canadian researchers, actually, largely Canadian. They were also working with U.S. researchers. They were able to uncover a spy ring that had hacked into the most secure databases in the world; for example, the Indian military and the Indian nuclear establishment and the United Nations and the offices of the Dalai Lama and several other countries. They were able to trace this spy ring eventually back to a big city in China called Chengdu, but the researcher said there is "no evidence in this report of the involvement of the People's Republic of China or any other government in the shadow network." So we don't actually know who was this spy ring, but we do know that they were able to hack into the most secure electronic systems available.

4:30

We also have to think: well, what about organized crime? I mean, imagine – imagine – a voting system that could be hacked into by organized crime or by a foreign government heavily invested in the oil sands who, for example, is wanting royalties changed or environmental standards reduced or increased. Who's to say that that could never happen? We have to remember – and there's been compelling evidence of this in the Assembly the last few days – that Canada is a nation at war right now. Right now. Well, are we so absolutely confident in our electronic security that we think that our enemies in war might not try to hack in and fiddle around with an electronic voting system?

This is an age, Mr. Chairman, where people deliberately set out to plan to fly fully loaded airliners into skyscrapers. That's the extent that people will go to violate a society. So do we actually think

they're not going to go so far as to try and hack into a voting system, particularly when the stakes are so high? We in the province of Alberta own some of the largest petroleum reserves on the planet. What a tempting target: to hack into a voting system and get control, get a friendly force in place through an election. There are fundamentalists of all types out there, Mr. Chairman, who believe that regardless of the cost, regardless of the rules that are broken or the lives that are paid, they are right, and they will stop at nothing, including, in my view, hacking into electronic voting systems.

Of course, who's the scrutineer? Who's to say if it even happened? What if it's a vote in which, you know, six or eight votes are the difference? Well, how would we ever know if it had been stolen? Or even if it was 6,000 votes or 600,000. How would we even know if the election had been stolen?

What's kind of perverse in all of this is that even if the fraud didn't occur, who would actually trust the system? What if it was a close vote and absolutely legitimate? The question nonetheless would always nag at the public and nag, at least, at the losers: was that election true and honest, or was it stolen from me? Close votes, controversial plebiscites, surprise outcomes: all of that would be constantly in doubt, and that doubt, in my view, Mr. Chairman, would eat away at the public faith and confidence in our entire voting system.

Mr. Chairman, you can tell that I am deeply, deeply opposed to any movement towards electronic voting. It's a cheap way out of what's a pretty straightforward problem. There are much better ways to get people to vote in higher numbers than they do. This is, you know, potentially a deal with the devil. The stakes could not be higher. We're not talking about losing some money or losing some lives. We're talking about losing, potentially, a civilization.

I want to drive home this message. We would only need to lose that election once for everything to be changed. All we would need is for one government to come in here on the basis of a fraudulent election, and all our laws are up for grabs. Our freedoms, our wealth, everything we do is up for grabs and can be rearranged in the course of a single term so that we would never again be able to reclaim them. I don't want to get too dramatic, but there are dramatic examples, shocking examples of that sort of thing happening in history. The stakes are high beyond measure.

I think that we need to rein in any change in legislation that would advance us toward a voting system that cannot be physically audited, that cannot be handled in as concrete a way as counting up ballots, Mr. Chairman. I would ask all members here in this Assembly to think long and hard before they choose the easy option of saying: well, it's Internet voting; it'll increase voter turnout. But what's the risk? I think the risk ultimately is of our democratic civilization.

Thank you.

The Deputy Chair: Any other members wish to speak on Bill 7?

Mr. Hinman: I would just like to commend the hon. Member for Edmonton-Riverview because it's another area that I also feel very strongly about, and he's been very eloquent in expressing the importance of the physical evidence. This really is a concern to me as well, so I want to speak a little bit on that.

He talked about three key elements here. There is one other one, you know, that is often brought up, that makes me nervous when it comes out. The first one is the traceability. It's absolutely essential in a free and democratic society that we have traceability of the election ballot. The only way that you can have that traceability is with the physical evidence. We need a ballot where one has to actually go in and mark. Perhaps there are some areas where we can

make it more efficient, but we have to have the physical ballot that would come out. You know, some places in the States have used a punch machine so that the marks are even, and I can understand some of those areas. But the point is that there's a physical ballot.

The key that the hon. Member for Edmonton-Riverview keeps going back to and what is so key is that it needs to be tamper-proof. Electronic boxes are not tamper-proof. You could even have it set up and someone could go, "Oh, we tried 10 votes," and you could run it through and see the 10 votes, that they were all accurate, and say, "There's nothing wrong with that." But a computer programmer could go, "You know what? We'll let the first 3,000 votes go through as they are, and then we're going to have a little program in there that's going to kick in and distort it so it comes out with the things that we want." Even if we think that we've got it covered and are looking, there isn't that physical evidence, which to me is so, so critical in having the confidence of the people that it's there. So tamper-proof is just incredibly important.

You know, in our democracy when we get up to vote, one of the blessings that we have is that we can get scrutineers in place. Again, what's the value of a scrutineer if there isn't the physical evidence to watch and know what's going on: when someone comes to put in the ballot, to actually watch them put it in and to know that they're not putting in two or three, that they don't have some code whereby they can go in and put in several. There are so many areas.

Again, if we want to look at as the numbers increase that we can say, "But we want to have a quick tally when it's over," I believe there is an electronic way to do that, much like a parking ticket. If you were to mark it and put it through a machine, the scrutineers can watch that as it goes in and comes out and falls into a box, just one has come out, just like a credit card receipt. There it is, and it goes in. It could be electronically calculated, but the physical evidence is still there.

In order to safeguard democracy, to ensure the confidence of the people, that tamper-proof, physical evidence has to be there in order that one can have the confidence and realize, you know, "I'm going to go vote, and I know that it counts," not thinking, "Oh, there's some corrupt way; maybe they're stuffing the ballot," which we often hear of. Again, the scrutineers can be watching to ensure that that's not there.

There are just so many areas where people are frustrated when it comes to democracy. They already say that their vote doesn't matter. We're not addressing those things in this bill. I think there is actually an amendment coming on how we engage Albertans to say: my vote does make a difference.

There are a few areas that I've talked to people about, and I believe I actually shared this last time I was here, with the Member for Edmonton-Riverview. I wasn't successful, but, you know, if at first you don't succeed, try and try again. One of the things that I think Bill 7 – and again it's a bigger scope. If we really want to increase the participation of Albertans so that they think – well, let's use the example of the Green Party, that has now been deregistered. Many people said, "Why should I vote for them? They don't have a hope of getting in." Down in my by-election in Calgary-Glenmore I ran into some supporters of the New Democratic Party, and they just thought, "Well, you know, my vote really doesn't matter." It's important that people feel like their vote counts, and there's nothing in here. But, like I said, I think there's going to be an amendment coming forward saying: "How do we promote democracy? How do we engage Albertans so that it makes a difference?"

4:40

If you believe in a philosophy – and there are several different philosophies in this House, out there. If we were to change the

dynamics to where it's not arbitrarily decided by Members' Services how much funding a caucus gets for research – when I was in here in 2004, had the average been \$5 for every Albertan that voted for a party that got a member in, it was amazing how the research would have worked out. But you look at one party that maybe gets 250,000 voters. They've got some support, yet if they don't get the MLAs in, their research funding is dramatically dropped. If, in fact, we were to engage Albertans and say, "You know, if you vote and a member of that political party gets in, your vote will count for \$5 worth of research funding to go to that party," all of a sudden Albertans would say: "You know what? I believe in the Wildrose party. I believe in the Green Party. I believe in the political party of the Progressive Conservatives. So I'm going to vote so that they get extra research money to promote their philosophy and those that I support." Those areas aren't in here, and then it slows it down.

Again, if in fact we were to have electronic voting, it would be one more area where people – again, that discouragement gets in there – think: you know, my vote doesn't count, and I don't have confidence that, in fact, that black box is really accurate, that my vote went in and it showed there. There's absolutely no physical proof after you hit the button that you even voted. You'd have no confidence. So people would get to think: why should I take the time to go down there when I don't trust the system? We really do need to look at how we are going to engage Albertans, how we get them to come out and make them realize that their vote does in fact make a difference. Electronic voting I think would be a discouragement. The doubt would start to step in. It would grow, and it would be just a real problem for Albertans to get out and say that it's worth the effort.

Again, to follow up on the Member for Edmonton-Riverview, you know, the struggle that he talked about – and it's always enjoyable to listen to him talk about history and what's gone on in civilization. The battle has gone on as long as man has been on the Earth that we know, this battle between communities, this battle between people, this battle between good and evil. One of my favourite writers, Frederic Bastiat, who wrote in the early 1800s, wrote a treatise called *The Law*, and in there what was kind of profound to me is that he talked about that it's human nature that we all want to progress, that we all want to do better, but what's also human nature is that we want to do it in the easiest way possible.

So if, in fact, we don't have the law to protect life, to protect people's property, to protect their freedom – it's terrible to live in those societies where there's anarchy or where there are tribal laws. We have wonderful Canadian soldiers right now trying to give that quality of life to people in Afghanistan and to protect their quality of life and not thinking: some arbitrary ruler from the next town over doesn't like our town, so they're going to wipe us out, or we need to be serfs to that tyrant. Democracy is so profound.

Another one that's often quoted is Alexander Tytler, and I'll just paraphrase him. He said that democracy is doomed to fail. The average democracy only lasts between 200 and 250 years, and at that point the political parties become astute enough to realize that the way to get votes is to promise the most from the public purse to the majority of the people. Eventually with the debt of that country the economy of that country fails, and democracy is lost. It's another area where we need to be very careful. There are areas in South America where the debt is just astronomical, and the struggles that it's put on those people are terrible. [interjection] I mean, it's very important because we want people to get out and vote. The question on Bill 7, which was recommended by the last election officer, is: do we need to do something in order to engage Albertans? Only 40 per cent, 50 per cent are coming out and voting. What's this bill lacking in order to excite Albertans to come out and vote?

Again, if we look back to the birthplace of democracy, which we call Greece, it's in turmoil right now because of the fiscal debt. There are riots. Their quality of life is going to be drastically affected. When the people do not come out and vote, that becomes a problem.

We talked about good and evil, whether it's freedom versus serfdom. You know, do we have prosperity? Those are all important things that we need to look at when we come to the Election Statutes Amendment Act, 2010. What is it that we need to amend that's going to make the next election more engaging for Albertans? As I go through the dozens and dozens of recommendations, those that would really engage Albertans have been left out, that confidence.

Again, going back to the electronic voting, which is in here, I think we need to bring an amendment forward. I thought they were going to bring that so that we could actually come to a vote on this and eliminate it. We just cannot afford to have a trial of something like electronic voting because the problem is that if we have that trial, people will say: "Oh, look. It was successful, so we can go down." Just because it works the first time doesn't mean that with that evil, that desire to have power and control, all of a sudden people will realize: "Ah, now we can do it. We'll let this grow. We'll show that it's successful. It'll move out there." We really do need to remove the electronic voting option in there so that we're not even tempted to go down that route and set ourselves up for failure.

There are so many things that we just need to do here in Bill 7. It's very disappointing to me that we don't have set election dates. At the municipal level we realize the importance of that. It's set. The term is set. People going in know that it's for three years. Those people that want to run in the municipal election this fall know that it's coming up, and they plan. They're making announcements every day, those people that are running, those people that aren't running, and that's critical. Yet the dilemma that Albertans are in right now is: when is the next provincial election? The Premier has said it over and over and over again: oh, it's March 2012. Well, if that's what it is, then pass the regulation, pass the law, and set it for every four years and go forward.

The fact of the matter is that he's being less than fully open with Albertans because what he says is: "Well, I still have my joker, and I'll play it when it works best for us. Retaining power and control is the most critical, and if something was to come up, we need to be able to slap that down on the table and say, 'Wow, here it is.'" For myself, I just see this idea coming out, you know, the feeling or the sentiment of the House that we're going to be dismissed for the break until this fall, and I just have to ask: what is the reason?

I look at the last time they called the snap election, in the spring, when, in fact, he said: we're not going to have one for four years, until the fall. You know, it won't be until November of '08. And what do we have on February 3? He called an election and caught – well, he didn't catch people off guard. But I've mentioned this before, that if at the Olympics we were to say, "Oh, gosh, we've got them up and ready" and tell all of our athletes that we're really going to jump it up six months and we train so that we have peak performance in six months, what advantage do we have over the other athletes to announce to them, "Oh, you've got to come here in 30 days because we're having the Olympics"?

Set election dates are critical, and they're not addressed in this. It was recommended to this government that we have set election dates. Again, you have to ask the question: what are the arguments for not having set election dates? Yes, there are some, but are they good ones? I don't think they carry the weight that we need them to. A lot of people say: "Well, if you have a set election date, that last year is kind of lame. Everybody knows it's coming, and we're just

not going to participate, and the government is going to spend a bunch of money.” But people are aware, and they see that. I don’t see that problem in municipal elections. I think it’s fine to have set election dates. We need to address them. If we were to do that, in fact, I think that would raise the confidence of Albertans in the democratic process and why we should be elected.

4:50

Once again, I just want to go back to engaging Albertans on why they should vote and the importance of changing the way we fund the parties that are represented here in the House. If, in fact, we were to tell them, “You vote; you have a member get in; they’re going to be supported by you,” like I say, with the numbers that I’ve crunched, \$5 for every voter that votes for a party, there would be a reason to get out and vote. Instead, those people say: well, we’re never going to win, so why should I bother voting? Why? Because you’re funding the research that shows people and educates Albertans why this is a better way. Each one of us in here is here because we believe that we can make a difference. We’ve heard from our constituents, from our businesspeople and others that say: “You know, this is a problem that we have here in our society. I’d like to see this changed. How do we do it?” Well, you run for government. You get involved in government and change rules and regulations.

I agree with the hon. Member for Edmonton-Centre. We need to have a system set up where those people that want to promote the arts are able to and do not have to struggle in the tax system to where there’s no advantage. Why do we pick one business and say, “If, in fact, you’re going to develop the oil sands, we’ll give you a credit to do that,” yet we don’t allow it for the film industry? We don’t allow it for wind or green energy. You see them come crawling to the government, and the government picks and chooses, as they did this last year, and says: “Well, ethanol is the way to go. We’ll give \$300 million to ethanol.” You have to ask why.

People run because we think: here’s this wonderful idea on how to improve our democracy, how to improve our safety, how to improve our economy. Yet we don’t excite Albertans with those options with what we currently have here. We just need to somehow reach out and ask the question, “Okay; what is it that we do to promote democracy, to promote the people here in the province?” and say: “You know what? Your vote does make a difference.”

When I went out door-knocking, that was the one thing that I enjoyed the most. I’d ask someone: “Well, do you believe your vote makes a difference? Have you voted in the past?” The ones that would say, “No, it really doesn’t matter who we vote for; once you guys get in there, you’re all the same” got me excited. We could have a debate. “Why do you feel that way?” It inevitably went back to the point that was: “Well, once you’re in there, there’s nothing we can do. You’re no longer accountable in any way or form to me until the next election, whether that’s three years, three and a half, five years. There’s nothing I can do.” So I would tell those people: “Well, no, there is something. You can count on me. I believe in accountability. If you’re not happy with me, if one-third of the constituents sign a petition saying that they’re not happy with what I’m doing, I would step down. I’d allow a by-election.” There’s nothing in this bill for accountability.

Mr. Liepert: How soon?

Mr. Hinman: Always, Mr. Liepert – I apologize – Minister of Energy. I apologize, Mr. Chair. I responded to the heckling; I should have paid attention to the chair.

The Deputy Chair: You’re speaking through the chair.

Mr. Hinman: They’re distracting sometimes. Thank you. It’s always good.

That is one of the other things that I would have done. There are several people in here – the Minister of Energy is one – that I would have gone after and said: “You know what? He’s destroying our health care. Let’s see if we can recall him.” There’s no mechanism, but I believe that his seat would be very vulnerable with what damage he’s done here in the province if, in fact, we had that.

There’s nothing in here to have accountability of elected individuals, Mr. Chair, and we need to put that in here if we want Albertans to be accountable. If, in fact, we have that accountability, all of a sudden people are engaged, and that’s a great blessing for democracy. We need people to be engaged. We need people to believe they can make a difference. If they don’t believe it, they don’t participate.

That’s one of the other things that’s interesting about human nature. To paraphrase Einstein, he said: the definition of insanity is to do the same thing over and over again and expect different results. The people have elected this government over and over. They’ve been expecting different results. There are some new parties out there now that are different, and people are wanting to engage. It’s exciting to them that they have an option now to do something different, and they can vote on that. Is the process set up that’s going to engage them? Bill 7, the Election Statutes Amendment Act, 2010, doesn’t address that. It goes over all kinds of little details. They’re looking at the details.

The Deputy Chair: The hon. Member for Edmonton-Riverview.

Dr. Taft: Yes. Thanks, Mr. Chairman. I rise to propose an amendment, actually.

The Deputy Chair: We have the amendment here, and I’ll have the pages pass it out.

Dr. Taft: Yes. I’ll wait a moment.

The Deputy Chair: Okay. This will be amendment A2. Please proceed.

Dr. Taft: Thanks, Mr. Chairman. I think most people have a copy of the amendment. I’m moving for the Member for Calgary-Buffalo that Bill 7, Election Statutes Amendment Act, 2010, be amended in section 12 by striking out the proposed subsection (7).

Now, I’m sure that for those of us who have read this act – and I know it’s a hefty act, and it’s not always the most exciting – I bet many of us have been a bit startled by section (7). In case you haven’t read it, I want to read it into the record. It’s on page 12 of the bill, subsection (7), and it says, “For the purpose of tracing the unauthorized use of the list of electors, the Chief Electoral Officer may have fictitious voter information included in a list of electors provided under this section.” In other words, what we are doing here is authorizing the Chief Electoral Officer to put phony names and information on the voters list.

In principle, of course, I have a lot of trouble with that. I’m just really uneasy with us authorizing an officer of this Legislature to put fictitious information onto the voters list. I think it’s just a bad approach generally, and I also think there must be better ways of checking the accuracy of the voters list and of who has voted and who hasn’t.

I think this is a pretty straightforward amendment. I haven't heard any justification for us authorizing an officer of the Legislature to essentially lie. If there is a justification from a government member, I'd like to hear it because maybe it's a good justification. Otherwise, I think that on principle we should be loath to authorize deceitful ploys by officers of the Legislature, especially when it's something like a voters list. I think we should encourage, instead, the Chief Electoral Officer to find other more straightforward and honest ways to confirm the authorized use and the accuracy of the voters list.

This is really a pretty straightforward issue. I hope somebody from the government rises to speak to this issue, for or against, because I'd be curious to know what the justification for that is. I'd be equally excited if somebody from the government actually spoke in favour of us making this amendment.

With those brief comments, Mr. Chairman, I'll take my seat. Thank you.

5:00

The Deputy Chair: Any other members wish to speak? The hon. Member for Calgary-Glenmore.

Mr. Hinman: Thank you. I really appreciate this amendment coming forward. I understand the concerns of the hon. members for Edmonton-Riverview and Calgary-Buffalo, and I'm going to address one of those because I've experienced the problems of not doing this. What I think is important in having this and why we do it: first of all, it is announced so that political parties know that there are fictitious names. I've personally been on lists that I know people are using illegally. The problem is that a lot of people want to get the electoral lists. They want to get their hands on them, and they use them for purposes that are evil, as the Member for Edmonton-Riverview used, or – what would I say? – the integrity isn't there. Voters lists are very valuable in different areas like that. I think what's important on this, though, is that people realize that and say: you know, these names aren't all guaranteed. When someone gets hold of that list or something, we can trace it back and actually charge them for the criminal act of using a voters list illegally.

I see your point and your concern. To me, I would consider it entrapment if, in fact, we weren't made aware that those things were in there, but being aware that they're there, we're only going to use them above board and for the election. There would be nothing wrong if, in fact, you make that call or you do those things. But it's after the election that we have such people, and there are several. You know the problems going on in Calgary with electoral balloting and phony names. If those people that put in for special ballots used one of those phony things, we can attach it and track them. I understand your concern about entrapment, and I agree with that. Entrapment is wrong. But being aware that they're doing that would hopefully only get those people, then, that are using it for less than proper reasons. So I think that there are some valid reasons in doing that.

It's just amazing to me the mining of lists. I just actually got a phone call today on my BlackBerry from a 505 area code. Well, where on earth is 505? Well, this came from a list of a company that I was dealing with that I know they obviously gave out. There's only one company where it came from. I know that when they gave it out, they assured me that that number wouldn't go out. How do we stop that? I mean, we have passed legislation now for demon dialing and those areas and for people being able to get off the list, yet we're still not able to go after these people that are using it for the wrong purposes.

I don't feel that it's entrapment, because we're aware of it. I think that there are some good possibilities with it, but it's always

excellent to bring up those ideas. That's what's great about this process, that we can think: "Oh, I've never thought about that. That is a new idea, something that we need to consider." With the 83 members in here there's been a lot of experience, and we as a House want to draw on that experience to ensure that we get the best bill forward and, again, that we protect those people on the list.

I really feel that this adds a level of protection to the voters. I'm still amazed that some of the people actually don't even want to vote because they don't want to be on the list. They say: "No. I know what goes on." So anything that we can do to assure people about being on the voters list. Again, when we fill out our income tax, that's one of the questions they ask: will you allow us to update and put you on the voters list? Again, the reason why they ask that is because of a number of citizens who say: you know, I don't want to be on that list because of the abuse of that list.

I really feel that we need to do our due diligence. We want to make sure these lists aren't abused. I think that this is actually a good section in here that will reduce the abuse and misuse of the list, like I say, those people that want to do it for unscrupulous reasons other than for contacting and engaging people in the democratic process. I must say, you know, that that list is so valuable to try and contact people. When there are missing parts in that list and we're not allowed to use it or that list is less than accurate, it's not as effective as we want. Again, we want to reach out. We want to try and touch every Albertan in one way or another, and having an accurate list is so critical to that.

As much as I appreciate the thought going into this amendment in saying that we should strike subsection (7) from section 12, I'd have to speak against this amendment and think that, no, I want to capture those people that are using these lists for less than democratic purposes.

Again, it's just one of those areas where lists are powerful. They're information now. Just like electronic ballots are bad – we don't have it – having an electronic list and people getting out and using it: I want to catch those perpetrators. I want to exercise the full limit of the law, which perhaps isn't even strict enough in here for misuse of electoral lists. I want to protect the elector. I want to make sure it's there, and if this helps it, awesome. I'm excited about that and want to go there. I hope that perhaps brings up and spurs a little more discussion on this amendment and how and why we should vote for it or against it.

The Deputy Chair: Any other members wish to speak to the amendment? The hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks very much, Mr. Chairman. I am in favour of this amendment although I agree that the Member for Calgary-Glenmore raised some good points. This is the issue. I think that we are trying to balance public confidence in the electors list, the integrity of the electors list, and make it a useful tool to help promote democracy, to draw out voters, to mail to them, to call them, et cetera, to get them engaged in the process. The list itself: we really want it to work for us.

Where is it being abused? Well, in a couple of places. I don't think I've actually been in a place where I saw it, but I certainly heard that provincial lists, for example, were used in federal elections or were used in leadership campaigns, and that's inappropriate. You have heard me stand and speak in this House quite a bit that we must only use personal information – and certainly the information on a voters list is valuable information and valuable personal information – for the purpose for which it was collected, not for a secondary use, not for another campaign, not for a leadership campaign. That's one of the places that the electoral list gets abused.

The second part of it, actually, is people's belief in the integrity of that list and in the use of their personal information. The reason that I support this amendment is that I think we need to get at the root causes of how these lists are being jeopardized or misused. What I see in this legislation is that it's treating a symptom, not the disease.

Let me break this down a little bit. I can remember when electors lists used to be posted publicly. In my community it used to be posted on a telephone pole or an electrical pole near the community league building. It was a sheaf of papers, and it was kind of stapled up there. It actually broke information down in such a way that it described whether someone was married or single. It gave that kind of information and, of course, the address where they were living and their full name and, I think, a birth date as well. People who were fairly trusting and, I guess, hadn't learned by experience would give their full name.

At one time we had a single woman living with us in our house, and she duly gave out her full name. So there it was, Alice Brown, and the address indicated she was single and female. My father took one look at that posted up on that telephone pole and went, "Ye gods, that's a dumb thing to do because we've just advertised that there is a single or unattached woman at this address, and that could really cause her some problems." She learned that lesson, I'm sure, and never did it again. She would start to edit the kind of information that she gave out.

A lot of us learned that we can't control where these lists are going. I don't give out my home address to anybody for any reason now. Even though they say, "Oh, this is your home address?" I say, "That's where you can contact me." I won't give a home address because I can't control how they're going to use that information, and that kind of attitude flows through into whether people are giving us information for an electoral list.

5:10

We need to be able to reassure people that either the way we collect the information or what the information is will not subject them to unpleasantness or danger or difficulty, which is important. We have to try and safeguard against the list being used in ways that the information was not collected for. I see that as the problem, but I think that what the act does in section 12(7) is create another whole problem.

I know that my hon. colleagues opposite go into election campaigns with just buckets of money, and I'm sure that's a very nice experience. I can tell you that those in my caucus and in my party that have run for political office don't go into election campaigns with buckets of money, but they do often go in with a lot of volunteers. We work the electoral lists hard over and over again. You know, you've got to talk to people. So if we end up with an electoral list that now has fictitious people seeded into it, how much time am I going to spend in an election campaign with my volunteers desperately trying to search out Sue Higgins, who is a fictitious name? We will keep trying because in my constituency people move around a lot. Sue Higgins is probably in Edmonton-Centre still, but she has moved maybe twice, maybe three times.

You know, still, 50 per cent of my constituents will not be there at the next election. Anyone who was there and voting in March of 2008 will not be in the same location in March of 2012. They will be either out of the riding or in a different place in the riding. So our campaign works those lists hard. We keep looking. We will keep trying to find our fictitious Sue Higgins because, you know, there are only so many people that we can entice out to participate in the democratic process in Edmonton-Centre. They're pretty valuable to us, and we'll keep looking. To my campaign that's cruel punishment, to make somebody keep looking for a trick that's in there to try and stop me from doing something I wouldn't do anyway.

I know those lists aren't supposed to go anywhere else, and I will protect them because I believe in that. I have spoken so often in this House that we are only hurting ourselves when we wink and look the other way and allow people's personal information to be used for a purpose beyond that for which it was collected, and this is a perfect example of why you don't let that stuff happen. But as my colleague said, evil happens. I think there's a shorter version of that or slightly different words with a more colloquial expression that starts with an "s," but essentially things go wrong. People disobey because it's easy and convenient.

I cannot believe that this is an effective way to stop that. I mean, it doesn't stop it. It doesn't stop people from taking that paper copy and walking out of a provincial campaign office, putting it in a file folder and taking it out and walking it across the street to a federal campaign office. It doesn't stop them from doing that. Supposedly, you know, if Sue Higgins turned up on some federal campaign list, it could then be tracked back to my campaign. But then what? Who was the person that walked it across? That would be very difficult to be able to track, given the number of volunteers we're working with. So, you know, I'm putting up 30 people that are all now going to have a suspicion cast upon them because they might have handled that voters list where this fictitious name has been seeded into it.

One, it takes a lot of extra effort from our volunteers, and we don't have a lot of volunteers. Now, you know, maybe this is a strategy from government because they've got a lot of money and they can pay people. Well, opposition members, I think, for the most part don't have a lot of money and don't have a lot of volunteers, and maybe this is meant to make it harder on us. I don't know. I don't think that addresses our problem with lists being used for things they shouldn't have been used for. Putting a phony name in there doesn't stop the thing from going wrong in the first place. Supposedly it's a way of tracking it back, but as I've just pointed out, you don't actually track it back. You track it back to a whole bunch of people. What are you going to do? Lay charges against all of them? I don't see how this is going to be effective.

The second one is that people won't co-operate. They won't give us information and they won't give us a good electoral list if they don't trust what we're going to do with the information. Again, I don't see how seeding phony names into an electoral list that's distributed to provincial campaigns is going to help us convince people of the integrity of that list and that we will protect it on their behalf. It does nothing to address the original problem there, which is that lack of trust.

I think those things need to be addressed in other ways, not in some weird, after-the-fact action which in and of itself creates a whole other problem, and that's the problem I've outlined, that campaigns try to find these fictitious people and keep pursuing them.

That's why I encouraged my colleagues to bring that particular amendment forward. I heard the arguments that the Member for Calgary-Glenmore raised around this, and I think a lot of what he said is valid. But, again, it doesn't address the problem. It just deals with it after the fact, and I think it deals with it in a bad way.

Actually, when I first got this act way back when and started going through it — you can see all my sticky notes and little notes beside it. When I actually get to this section, what I've written in the side is: "This is stupid. Has it been tested?" I'm sorry; it is. I mean no disrespect to whoever came up with this — and I haven't been able to find it mentioned in the recommendations from the previous Chief Electoral Officer — but I think it is stupid. I think it's going to cause a lot of work for people that are just well-meaning volunteers, and it's not going to address the problems that it was put in there to address. It doesn't actually target the source of the problems.

Thus, I am supporting the amendment that's in front of us, and I appreciate the opportunity to outline why I'm supporting it.

Thank you very much.

The Deputy Chair: The hon. Minister of Justice and Attorney General.

Ms Redford: Thank you, Mr. Chair. I listened to the hon. member's comments with interest. The first thing I would like to say and I would like to remind members of this House is that our fundamental approach to the amendments to this legislation was to consult with the Chief Electoral Officer and the former Chief Electoral Officer, who are experts at running the administration of elections. What the Chief Electoral Officer told us was that this was a step that would assist the office of the Chief Electoral Officer to manage the control of the lists. It has been used in British Columbia. They have consulted with other systems which have used this and found it to be effective. What the original amendment in this legislation is trying to address is not necessarily the manual management of a particular name or address but the wholesale selling or distribution of lists electronically.

Now, I'd like to just think for a moment about one of the things that the hon. member talks about very passionately, which is controlling personal information, and you did refer to this in your comments. I think that that is the fundamental principle of what we are trying to do. The first thing that the Chief Electoral Officer wants to do is to ensure that these lists are not a commercial commodity. We would be very concerned, as would the Chief Electoral Officer and I think every member of this House, if we found that for some reason someone who was able to obtain a list because they were somehow involved in a political process as a registered candidate did something with that list like sell it to a magazine subscription company. That's the picture of what this is trying to address.

5:20

Now, there's no doubt that as we look at how campaigns are run and how elections are managed, there are a number of volunteers. I think that most people in this House and most political candidates would celebrate the fact that they have well-meaning and solid and trustworthy volunteers. Although there is a possibility that some of the scenarios that have been referred to could happen, I would just like to advise the House that, in our discussions with the Chief Electoral Officer, the recommendation of both the current Chief Electoral Officer and the former Chief Electoral Officer was that they have found, in consulting with professionals that manage elections across the country, that this is an effective approach to ensure that the integrity of the list is protected and that there are ways to track the list back to the campaign who has received the list. I think that's the fundamental principle behind the amendment.

Now, some of the things that have been referred to are certainly pieces that could go wrong. There's no doubt about that. I know that when we're in this House and we're talking about legislation and different scenarios, one of the things that we all like to do is to sort of chase the logical path of activity that could lead to that scenario which is the most unlikely but still possible. However, we as a government agreed to include this amendment because we believe that it gives some further confidence to the process by having people know that the office of the Chief Electoral Officer is actually able to trace those lists back to sources.

Therefore, I would urge the House to oppose this amendment. Thank you.

The Deputy Chair: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Chairman. It's a pleasure to have an opportunity to participate in the debate on this amendment to Bill 7. Certainly, Bill 7, as it winds its way through this Assembly, needs to be changed. When I first had a look at this bill regarding specifically this section, and we're dealing with the unauthorized use of the list of electors, I wrote: how will this work?

I certainly can understand where the hon. Minister of Justice is coming from with her explanation. I was looking for examples of unauthorized use: certainly, the idea or the notion or the proposal that a complete or a partial electoral list could be sold to a magazine distributor or any number of other data banks, whether they're in this province or country or held somewhere overseas. Voter information should not – and I acknowledge that – be used in any way. Has it been in the past? I suspect so. Is this the best way of dealing with these violations or these unauthorized distributions of complete or partial electoral lists? I don't know. But to have the Chief Electoral Officer put fictitious voter information on a list seems quite unusual and seems a different way of trying to solve the problem.

Now, perhaps in the course of debate the hon. Minister of Justice could tell me and tell everyone in the House: would there be different lists or different fictitious voter information included in a list of electors that's given to a respective political party? Would each political party get a different list? Would different constituencies? I'll use my own as an example. In the next election in the information that's provided to the Wildrose Alliance campaign team, would there be a John Doe and a Jane Doe and a Jack Smith on that list, and would there be a Peter Brown . . .

An Hon. Member: A Hugh MacDonald?

Mr. MacDonald: There would be one, hopefully, on the list. Not two, like there was the last time, hon. minister.

But you know what I mean. Is that how the Chief Electoral Officer is going to trace this to see which respective political party has been given the complete list? If it shows up in Australia or in New York City or in Toronto in a data bank for an unauthorized use, is that how I'm to understand that this section would work so that the Chief Electoral Officer or his officials can identify specifically which party in which constituency sold or distributed that information in an unauthorized manner?

I'll cede the floor if the hon. member would like to respond to that. Thank you, Mr. Chairman.

The Deputy Chair: The hon. Minister of Justice and Attorney General.

Ms Redford: Thank you, Mr. Chairman. We've had extensive discussions over months with the Chief Electoral Officer. Although I have not had that personal conversation with the Chief Electoral Officer, my understanding is that in terms of the administration of the lists and of the office and the list system that he is prepared to compile with this amendment, there are protocols that have been used in other provinces and other jurisdictions that do apply that principle. Now, whether or not your specific example is exactly the way that that principle would be applied, I can't speak to the detail of that. But it does speak to that.

It's not simply a matter of being able to identify that the name came off an electors list but to actually be able to manage the source of the original list. That's the intent. In fact, I'm not sure that if we were to pursue this further, the Chief Electoral Officer would

necessarily want to provide a tremendous amount of detail with respect to exactly what the security features would be since that would then possibly allow people who were trying to circumvent the security features to do so. But it is our understanding that that is the intention, that is the protocol, and that is the way that this has been applied in other jurisdictions.

The Deputy Chair: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you, Mr. Chairman. I appreciate that from the hon. member.

Certainly, whenever we compare the past to the present, we think that in the past the electoral list for a poll or a division would be displayed somewhere publicly for all to see. The information would be gathered during the enumeration and displayed in the period leading up to the election. With the information that would be available in the past, certainly times have changed, and I think they've changed for the better. The information that would be posted would be personal information, in my view. Marital status, occupation, whatever: it would be listed there. Certainly, with the new voters lists and now that we live in the electronic age, there is more individual privacy.

That being said, I still can't understand why this section is necessary. We look at the Chief Electoral Officer, the gentleman that's occupying the position at this time. There was a reluctance in the past, in my view, Mr. Chairman, to enforce the act to start with. I'm disappointed to have to say that, but certainly there was, in my view, a reluctance. I'm going to mention specifically cases of improper reporting or recording, and I'll use the Progressive Conservative Party's foundation fund. I brought that to the attention of the office. Nothing was done. Absolutely nothing was done. After the last election I was disappointed. I brought forward some information regarding polling and activities at a mobile polling station and the use of—or in this case the voters list wasn't used. So all the information that we're talking about here wasn't used in the conduct of the mobile poll.

5:30

I don't have any confidence whatsoever in the Chief Electoral Officer or in Elections Alberta to enforce the act and also the Election Finances and Contributions Disclosure Act. So it has to be proven to me, Mr. Chairman, that there will be a new attitude at Elections Alberta. Certainly, whenever I've brought up these issues, I was audited. A random audit. I don't know if you or your constituency was audited, but I stood up and spoke out, and suddenly I got a registered letter: you are being audited. I had nothing to hide, and that was proven in the audit.

The Minister of Energy is shaking his head over there, so I can only assume that he was not audited. Is that correct?

Mr. Liepert: I have no idea. I couldn't care less.

Mr. MacDonald: He has no idea, and he couldn't care less. Okay.

Well, I will certainly continue with my remarks on this amendment, Mr. Chairman. I appreciate this amendment from the hon. Member for Edmonton-Riverview because regardless of the detail of this bill we look at issues around permanent, unique identifier numbers. We look at this idea that we need to have fictitious voter information included in the list of electors provided under this section. There are a lot of questions. There certainly are a lot of questions about this entire act, but this amendment specifically deals with this section. I support, I appreciate the hon. member's response, but I don't think that this is the proper way to deal with the

unauthorized use of the list of electors. I think there are better ways of doing this without going—this could be a witch hunt. I'm not convinced that—and I'm sorry—all political parties will be treated the same.

Mr. Liepert: It's the bogeyman.

Mr. MacDonald: No, it's not, hon. member. It's not like that.

An Hon. Member: Just trust us.

Mr. MacDonald: Just trust us? Yes. I've been around the block once or twice, and that's not going to happen, hon. member. No. Elections have to be run fairly, and each and every party and each and every constituency and each and every voter in those constituencies must be treated fairly.

With that, Mr. Chairman, I will cede the floor to another hon. colleague. But please, hon. members, consider supporting the amendment as proposed by my colleague from Edmonton-Riverview because it certainly answers the question that I had: how will this section work? In my view it doesn't, and if we amend this and strike out the proposed subsection (7), I think that we're doing everyone in this province a good deed.

Thank you.

The Deputy Chair: On amendment A2. The hon. Member for Calgary-Glenmore.

Mr. Hinman: Thank you, Mr. Chairman. There has been some certainly interesting discussion on this, and it has brought up some more questions. I think that seeing as how we're having amendments to the electoral statutes, it's kind of interesting to me to hear the Minister of Justice talk about the Chief Electoral Officer and the past Chief Electoral Officer and the experts that they are, which I don't doubt at all that they are experts. But it's interesting that we had 183 recommendations and so many weren't adopted, yet this is one that was, so all of a sudden we should accept it at face value.

There is a disagreement. I do agree with the Minister of Justice on the importance of protecting the integrity of this list. One of the questions that I'd have to ask the hon. Member for Edmonton-Centre is—again, I very much agree with her in the fact that we always need to get to the root of the problem—how do we solve it? Because too often we do put things in there that really don't solve the problem. We wouldn't agree on this, but the gun registry hasn't solved the problem of illegal use of guns. So here we're on the other side. Again, registering or licensing bulletproof vests to say, "Oh, now we've registered bulletproof vests, and we're going to be able to squash the gang problem" I don't believe really addresses the problem of gang activity.

The Deputy Chair: Hon. member, we're speaking to amendment A2. Amendment A2.

Mr. Hinman: Yes. Thank you. We'll bring it back in. My question is: is there a solution for fraudulent use of the voters list that's better than this one? I am very concerned. I said that I've seen this fraudulent use of it happen in the past.

I have another question for the Minister of Justice. Okay, I have a lot of volunteers that have helped me as well. I'm not always there at their computers. Everybody signs a little document saying: I will not use this document for improper uses. But what happens if someone takes one from my campaign and goes out and uses it, and they trace it back and say that the Member for Calgary-Glenmore has illegally used this list? Who is actually accountable, then?

Ms Blakeman: You've got to ask her.

Mr. Hinman: Well, I've directed that towards the Minister of Justice, and I hope that she'll clarify that before we vote on this amendment so that we'll know what it is.

Also, I have to admit not knowing everything. What does the actual act provide? What is the penalty if, in fact, you are caught illegally using this? Again, is it the actual possession? I mean, I met an individual the other day who unbeknownst to her received one of these phony hundred dollar bills and went to use it and was denied. She had to pay the price. She didn't know who she got it from.

Again, my concern with this list. Like I say, I agree, but I want to make sure the checkpoints are on this fraudulent use of electronic lists or even whether they have the paper one that they print off and take. What is the penalty, and who would actually be held accountable? Does it go back to the actual member who's running? Is it the person who has the list illegally, or do they have to provide where they got the list from? We want to know where the accountability is actually going to be held ultimately. If that's not in there to protect those people that haven't used it illegally, is that a concern? You know, it's something that's kind of interesting to me.

Another analogy that I look at is if, in fact, you loan your car to someone else, it's your insurance; you're accountable. So if you loan your car, you've got to be careful. Again, because I was the owner and signed for that list and someone else is volunteering and using it – if they voluntarily use your car and go and get in an accident, to me it should be their insurance that would be held accountable, not you.

Some clarification by the Minister of Justice would be wonderful on this to know what is the penalty, who is ultimately held accountable for this so that we could make an informed decision on whether we should vote for this amendment or whether we should allow the bill to go through in the current state and, like I say, hopefully add to the security of that list.

Once again, to both the hon. Member for Edmonton-Gold Bar and also the Member for Edmonton-Centre: do you have any other ideas on how to provide assurance to the electorate that have put their names on the list that there isn't abuse of that list? If so, I would really love to hear it because I think that, again, we should look at an amendment, then, or something to come forward because we want to do it right.

The government says that they want to do it right, so let's continue this discussion and see: well, what do we do to protect the integrity of that voters list? What do we do to protect the candidate from not being held accountable because of someone else who has maybe infiltrated as a volunteer for less than good purposes to try and slander, perhaps, the campaign team and use it to say, "Ah, this team, look at what they've done," when, in fact, we don't know which volunteer took it? Does the Member for Edmonton-Centre or Edmonton-Gold Bar have any ideas on how we could and should protect the integrity of that list?

5:40

Ms Blakeman: I don't actually know of specific examples mostly because I just don't have the resources to get that kind of information for you. I have attended two of the COGEL conferences in order to soak up information like what you are seeking, what are the success stories across Canada and the United States, which are, obviously, the closest ones to what we're looking at.

I think the personal information one continues to evolve as people end up having bad experiences with prohibited use or unexpected uses of their personal information. They are reluctant now to give us full information or to give us unadulterated information. So they change something in their name so that they can tell what, you know, list it came off, literally. It's the same sort of scheme as what's being described here.

I think there are two things to that. One is continuing education of people not giving out personal information as easily as they do now and to be much more careful about it and understand what's important. I would argue that the democratic process is pretty important and the electors list is a good place to have information.

Two, I think we need to be really testing what kinds of information we collect in order to have vibrant, vigorous electors lists. I know one of the problems that we've had across the country when people say, you know: "Why do you guys keep enumerating? Why can't you all share a list? Why isn't there a permanent voters list?" Well, there have been a number of attempts to do that, actually, but each level of government collects information in a slightly different way. For anyone that's ever spent too many long nights trying to make databases go together, it has to be the same. If one group has collected information that includes gender on it, when you put it with the other one that doesn't, you end up with gobbledygook. You have to collect the information and input it in the same way to make those databases work back and forth.

I think that is something that various levels of electoral officers are trying to achieve municipally, provincially, and federally, so eventually we should end up with a sort of living permanent electors lists. But we have to figure out who needs information, in what way, and why because governments use electors lists for purposes beyond elections as well. That still has to be worked out.

Frankly, I think in a number of cases we underresource the chief electoral officer to be able to do that kind of work. When we get budgets brought before us as the Legislative Offices Committee and we restrict – you know, I think this year it was an arbitrary 2 per cent or something. Everybody was limited to that. Those were sort of the instructions that had been given to the government members that were on that committee. Sure enough, they brought forward a motion in every case and said: this is what we're going to restrict the budget increase to. It does not anticipate this kind of need for ongoing work and for the funding of that, and I disagreed with the government's just doing a blanket hold the line on that budget as a result.

The protection of privacy is a longer one. I don't know how you stop the list from being electronically – unless there's some kind of an electronic watermark. Without injecting fictitious information, is there not another way to do an electronic watermark? Which is also what you could do on paper. For example, that's how you work with money. You know, you can test it to make sure that it's the real thing. I mean, clearly, the government is not worried about paper versions of this getting out. They're worried about electronic versions, which is a lot easier. Overall what we're looking to do is trying to stop human deviousness, humans deliberately disobeying the instructions and doing something they're not supposed to do with the list. I'm sure there are lots of criminologists and lots of jurisprudence that would like to deal with that one.

I don't think this is the way. I think it's going to cause a lot of work for innocent campaigns that they didn't need to do. If there is another way to mark those lists beyond inserting fictitious names, I think that's the way to do it. I think they've caused as much grief as they're going to solve with this particular solution.

Thanks.

The Deputy Chair: Do any other members wish to speak on A2? The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Certainly on A2, Mr. Chairman. I was listening to the comments from the hon. Member for Calgary-Glenmore, and I can certainly understand where the hon. member is coming from. I remember campaigning when he was very success

ful in the by-election, and in any campaign that was operating there, it is possible a volunteer – I'll use that as an example – could make a mistake. In that information on the voters list, if we had this bill as the statute from which we conducted the election, there could be fictitious voter information on the list and only on the Wildrose Alliance list. A campaign volunteer could make a mistake, or the campaign headquarter's computer could be hacked. Then what would happen?

I was looking through the act to see what would happen. Is it possible that someone could argue an election result should be overturned? Or could a successful candidate who is not, let's say, a government member or a Progressive Conservative Party member be somehow burdened with defending themselves in the courts because for whatever reason the government didn't want to live by the result? Now, I'm not saying that this would happen, but it's an example.

Another example that I would like to bring up, Mr. Chairman, is the whole issue of demon dialers. What happens if any political party – and many do; I don't. I don't appreciate getting calls at my house from the demon dialers at election time regardless of which campaign it is. There are some things in this world that I will not accept, and demon dialers are one of them.

An Hon. Member: What's your phone number?

Mr. MacDonald: My phone number is in the book, hon. member. You can look it up. You seem to have a lot of time over there. I know the phone book is fine print, but you're young. [interjection] He's distracting me, Mr. Chairman, and I apologize.

Now, the demon dialers. I believe the Wildrose Alliance Party used the demon dialer, particularly in the last week of the campaign there. I know they did. Oddly enough, it wasn't the Conservatives that were the target of their demon dialer; it was us because the Conservatives were, essentially, out of the race by that time. Let's say that any political party or any campaign – and I assume we have to give the voters list to the company that owns the demon dialer operation. What happens when or if – hopefully, it wouldn't happen – the demon dialer then sells that information to a marketing outfit or, the example that was used earlier, a magazine distribution company?

What happens in the case of that information being provided in good faith to a third party; in this case, the operators of an outfit that conducts phone calls, 30-second to one-minute long messages, to each household? Or if we carry on with the practice of putting e-mails on the voters list, which I object to – hopefully, we're going to get a chance to discuss the whole issue of e-mail and how it should or should not be used on the voters list. Hopefully, we'll get a chance after we finish with amendment A2, Mr. Chairman.

5:50

But specifically with the demon dialers, if anyone across the floor or if anyone in the Wildrose Alliance caucus has any suggestions as to how we would deal with this matter, as I explained it, if Bill 7 was to be the law of the province. Who is responsible for the conduct of the demon dialer? I would certainly like an answer to that question before we have a vote, Mr. Chairman, on this amendment.

Now, when we talk about the information that could or should be provided on a fictitious voter information list, would that or could that include an e-mail address? E-mail is a very convenient way of having voter contact with a significant number of constituents at once. I have always wondered, Mr. Chairman – and I know different members do it differently, and different political parties do it differently. The information that is provided and the information that we collect during the course of a term, particularly e-mails: hopefully, they would never be used during an election. They are collected routinely in the course of our business, and certainly we

collect lots of e-mail addresses from constituents. I'm hoping that sometime after we conclude our debate on amendment A2, we will deal specifically with this issue.

This is an enforcement issue. I think we should deal with it. Just as if there was to be a violation of section 12(7) if we were to leave it in, what exactly would happen, Mr. Chairman? Is there a small, modest fine for a violation? Is there a threat that a member could see the election result overturned? I don't know. I've tried to follow this through the act. I think that's a valid question. But if we were to remove that section, as suggested by the hon. Member for Edmonton-Riverview, then we wouldn't have to worry about it.

I do have concerns, as I said earlier, about election results being overturned. We only have to think of Edmonton-Castle Downs in the 2004 election. I'm still not satisfied with that result. I've had an opportunity to look at some of that polling data . . .

Ms Blakeman: Neither am I.

Mr. MacDonald: You're not satisfied either?

Ms Blakeman: No.

Mr. MacDonald: No? That was quite a little ordeal in Canadian elections history. I think that in another few years historians will have a look at that election and the conduct of that vote.

Anyway, Mr. Chairman, I don't want to be chastised by the chair. We are dealing with amendment A2, and we are dealing with the issues that the hon. Member for Calgary-Glenmore was talking about; that is, in the case of a campaign volunteer, regardless of which party, making a mistake or if a computer is compromised and the information is taken. Or what happens in the case of the third-party demon dialer who gets the information in a sincere way from a campaign and distributes or broadcasts the information for a profit?

If we could have answers to those questions . . .

The Deputy Chair: I hesitate to interrupt, but under Standing Order 4(3) the committee will now rise and report.

[Mr. Mitzel in the chair]

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

Mr. Fawcett: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bills with some amendments: Pr. 2 and Pr. 3. The committee also reports progress on Bill 7. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: All those members of the Assembly who concur with the report, please say aye.

Hon. Members: Aye.

The Acting Speaker: Opposed, please say no. So ordered.

The hon. Deputy Government House Leader.

Mr. Renner: Thank you, Mr. Speaker. I move that the House now stand adjourned until 1:30 tomorrow afternoon.

[Motion carried; the Assembly adjourned at 5:56 p.m. to Thursday at 1:30 p.m.]

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