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The 27th Legislature
Fourth Session

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Tuesday afternoon, November 22, 2011

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 22, 2011

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon.

Let us pray. Renew us with Your strength. Focus us in our deliberations. Challenge us in our service to the people of this great province. Amen.

Please be seated.

Statement by the Speaker

Election Anniversaries

The Speaker: Hon. members, before we proceed, I'd like to point out to all hon. members that today is the seventh anniversary of the first election of 16 members. Congratulations to the hon. Member for Peace River, the Minister of Sustainable Resource Development; the hon. Member for Calgary-West, the Minister of Finance; the hon. Member for Calgary-Foothills; the hon. Member for Highwood; the hon. Member for Calgary-Nose Hill; the hon. Member for Calgary-Hays; the hon. Member for Cypress-Medicine Hat; the hon. Member for Stony Plain; the hon. Member for Lacombe-Ponoka; the hon. Member for Calgary-Lougheed; the hon. Member for Leduc-Beaumont-Devon; the hon. Member for Foothills-Rocky View, the Minister of Energy; the hon. Member for Calgary-Mountain View; the hon. Member for Calgary-Varsity; the hon. Member for Lethbridge-East; the hon. Member for Calgary-Currie; and the hon. Member for Calgary-Glenmore.

Today is also an anniversary in time. Please join me in wishing the hon. Member for Calgary-Varsity happy birthday.

Mr. Hancock: Mr. Speaker, I think you omitted one very important anniversary, November 21, 1979. Perhaps you might comment.

The Speaker: November 21, 1979, was a day not unlike what we have in Alberta today, very similar in the amount of snow, very similar in the temperature, and it was an anniversary for me, my first election to this esteemed Assembly. Interestingly enough, hon. members, it was in the fifth decade ago. It's been a thrill. [applause]

Introduction of Visitors

The Speaker: The hon. Minister of Municipal Affairs.

Mr. Griffiths: Thank you. It's a pleasure for me to rise today to introduce to you and through you to members of this Assembly the mayor of Slave Lake and the reeve of the municipal district of Lesser Slave River. Mr. Speaker, they're seated in your gallery: Her Worship Mayor Karina Pillay-Kinnee of Slave Lake and Reeve Denny Garratt from the municipal district of Lesser Slave River. I'd also like to acknowledge, though he sends his regrets because he couldn't attend, Chief Roland Twinn from Sawridge First Nation. I'd ask them to rise.

Mr. Speaker, it took a community to respond to the wildfires, and it will be a community that together faces a journey through recovery. All 233 temporary housing units have been installed, and anyone who lost their home to fire should be in place this week. Leadership, teamwork, and concern for your residents means things are moving ahead quickly, and I know that the work

you are doing is helping your community become whole again. The Alberta government will continue to work alongside you in the weeks and months and years that it takes to rebuild fully. I'd ask these two members to please rise and receive the traditional warm welcome of the Assembly.

Introduction of Guests

The Speaker: Hon. Minister of Municipal Affairs, you also have a school group.

Mr. Griffiths: Thank you very much. It's my pleasure to rise today to introduce to you and through you to members of this Assembly 25 visitors from Ryley school in Ryley, Alberta. There are 22 members in the members' gallery; they may all be there, Mr. Speaker. The students are accompanied by their teachers Wendy Butler and Fred Yachimec. They're also accompanied by a parent helper, Leanne Monteith, and D.J. Smith, the FCSS co-ordinator for the school. This grade 9 class is studying government. They've had an exceptional tour today, and I got to see them just before they came in at about a quarter after 1. They truly represent what their school's motto is, The Small School with a Big Heart. I'd ask them to rise and please receive the traditional warm welcome of this Assembly.

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

Mr. Elniski: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all members of this Assembly a group of 12 students from the Yellowhead school in my constituency of Edmonton-Calder. With them today are teacher Brian Gizzie, Mr. Rob Eglund, Mr. Ron Stober, Mrs. Shawn Lechelt, and Mrs. Okeme. I understand that they're seated in the members' gallery, and I would ask them now all to please rise and receive the traditional warm greeting of the Assembly.

Thank you very much.

The Speaker: The hon. Leader of the Official Opposition.

Dr. Sherman: Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of this Assembly 27 grade 6 students from Meadowlark Christian elementary school, a K to 9 school in my wonderful constituency. This school began as a private school in 1982 for committed Christian families but has grown steadily and became an alternative program offered by Edmonton public schools in 2004, offering choice within the public system. Leading this group today is their teacher, Mike Krogen, and Mrs. Loretta Strachan, Mrs. Patti Kern, and Mrs. Karen Singleton. They are seated in the gallery, and I would ask them to rise and receive the traditional warm welcome of the Assembly.

Mr. Speaker, I also have a second introduction. I would like to introduce to you and through you to all members of this Assembly a group of 30 grade 6 students from Belmead elementary school, also in the wonderful constituency of Edmonton-Meadowlark. Belmead is a community school of 260 that serves not only Belmead but also the Hamptons neighbourhood. They offer a very effective full-day community kindergarten program for those students, something that the Alberta Liberals have supported for a very long time. Leading this group is their teacher, Lisa Zimmer, and Ms Lyndsay Dakin and parent helpers Mrs. Mona Choukair, Mr. Ryan Carifelle, and Mrs. Stephanie Casper. They are seated in the gallery. I would ask them to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. the Premier.

Ms Redford: Thank you very much, Mr. Speaker. It's a great honour for me to rise and introduce to you and through you to all members here in the Assembly three wonderful seniors' advocates. Luanne Whitmarsh is CEO of the Kerby Centre in Calgary. The Kerby Centre provides holistic services for adults aged 55 plus in Calgary and the surrounding area, and it provides a place where older adults can connect to meet their social, recreational, and learning needs while at the same time meet friends and make new friends and volunteer. Luanne is also a constituent of mine from Calgary-Elbow. Also with her today from SAGE, the Seniors Association of Greater Edmonton, are Mr. Roger Laing, the executive director, and the president, John Schiel. SAGE is a multiservice seniors' centre in downtown Edmonton that has been serving seniors since 1970. SAGE provides a wide range of recreation and social services for seniors. They are seated in the public gallery, and I would ask that they rise and receive the traditional warm welcome of the Assembly.

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

Mr. Horne: Thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you to all members of the Assembly staff here today from my department, Alberta Health and Wellness. These staff have been on a tour of the Legislature, had a photo opportunity on the Legislature steps, and they are now here to observe question period and their minister in action. Many of these employees have devoted their careers to public policy, and I want to take this opportunity to publicly commend them for that commitment. The importance of that work often goes unacknowledged. These members are seated in the members' gallery. I would ask each of them to rise as I call their name: Ms Jeanie Casault, Ms Shaughnessy Fulawka, Mme Monique Gervais Timmer, Mrs. Suzette Mackey, Mrs. Jennifer McGill, Ms Colleen Zimmel. Please join me in extending the warm welcome of this Assembly.

1:40

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

Mr. Weadick: Thank you, Mr. Speaker. It's indeed a pleasure today to rise and introduce to you and through you to all members of this Assembly two good friends. This afternoon in the members' gallery is Mr. Doug Black. Doug is senior counsel with Fraser Milner Casgrain and a current chair of the board of governors at the University of Calgary and doing a great job there, and thanks, Doug, for that. With him is Martyn LaFrance, a recent graduate of the U of C. He is a bright young mind and a shining example of what the future holds for this province. He is also serving as EA and helping Doug in a bold, new adventure that he's undertaking. I would ask this House to rise and give them our warm welcome.

The Speaker: The hon. Member for Little Bow.

Mr. McFarland: Thank you, Mr. Speaker. Today we have a special guest from Ontario. Mr. David Rinneard is with BMO commercial banking out of Ontario. He has come out here to have some meetings with numerous different groups. David is rather unique. He actually grew up in Orillia, Ontario, but took his university education at the University of Lethbridge, which many of us are very familiar with, and he convoked down there with a bachelor of management, later going on to take his master's in business administration from Queen's University School of Business. David is currently the national manager for agriculture, responsible for many different areas in the bank's agricultural portfolio, and he's got a diverse background in

oilseeds, dairy – you name it; he's done it – and he is very familiar with southern Alberta. I had the opportunity to have lunch with him, and he met many of our colleagues here today. I would ask David in the public gallery to please stand up and receive the warm welcome of our Assembly.

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

Mrs. Sarich: Thank you, Mr. Speaker. It's an honour and a privilege to rise today to introduce to you and through you to all Members of the Legislative Assembly a very special guest that is here today in recognition of Mee-Yah-Noh elementary school's 50th anniversary, Ms Cheryl Johner. Ms Johner is serving her first term on the Edmonton public school board as the school board trustee for ward A. She is a very hard worker. It's an honour and privilege to work at collaborating within the ward, because we share some constituents in Edmonton-Decore. I would now ask Ms Johner to please rise to accept the warm welcome of this Assembly.

Thank you.

The Speaker: The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Boutilier: Well, thank you very much, Mr. Speaker. It's indeed my pleasure to introduce through you and to members of the Assembly members of the Fort McMurray public school district who are here today, who bravely travelled highway 63. We have the chair, Jeff Thompson, along with trustees Linda Mywaart and Stephanie Blackler. I'd ask them all to rise and receive the traditional warm welcome of this Assembly.

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

Mr. Hinman: Thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you another excellent Albertan who's been serving on an Alberta school board and who has also stepped into the provincial political arena. I'd like to ask Dave Nelson to please stand and receive the warm welcome of this Assembly. He's running in Battle River-Wainwright.

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

Ms Nottley: Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly two guests from the Parkland Institute. Founded in 1996, the Parkland Institute has initiated research and has promoted discussions on countless economic, social, cultural, and political issues important to all Albertans. The Alberta NDP would like to congratulate the institute for hosting another successful fall conference this past weekend, and we'd like to thank them for their invaluable contribution to the political research and dialogue within our province. My guests are Gordon Laxer, founding director of the Parkland Institute, who will be stepping down in January of this year after 15 years of service at the institute, and Laura Collison, administrative co-ordinator, who has been there for about a year and just finished serving as the architect, for the first time, of their very successful fall conference last weekend. I would like both Gordon and Laura to now rise and receive the traditional warm welcome of the Assembly.

The Speaker: Are there others? The hon. Member for St. Albert.

Mr. Allred: Thank you, Mr. Speaker. It's an honour for me to rise today and introduce a neighbour of mine who I see up in the gallery, who is well known to the Assembly, a past president of the Progressive Conservative Party of Alberta, Ms Marg Mrazek. I would ask her to please stand, and we'll give her the warm welcome.

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

Mrs. Sarich: Thank you, Mr. Speaker. I also have noticed a constituent from my constituency of Edmonton-Decore, Mr. Jim Ragsdale, who always makes a point of dropping by my constituency office. He's here today in the public gallery. I'd like him to please stand to receive the warm welcome of our Assembly.

Thank you.

Members' Statements

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

50th Anniversary of Mee-Yah-Noh Elementary School

Mrs. Sarich: Thank you, Mr. Speaker. On October 15, 2011, it was my honour and privilege to be part of the 50th anniversary celebration of Mee-Yah-Noh elementary school in the constituency of Edmonton-Decore. Over the course of 50 years there is no doubt that all the young people who have crossed through the doorways of this specific school have truly been the benefactors of exemplary learning opportunities and creative discoveries that unfold through innovative teaching, leadership, learning partnerships, and programming. Without exception the 50th anniversary gathering was inspiring, for it was filled with symbols, ceremony, enthusiasm, laughter, tears, and a collection of exciting stories highlighting the proud past and present successes of teachers, staff, students, parents, and the school community.

Mr. Speaker, there is a 50-year legacy of dedication to student achievement embedded in the school's namesake, Mee-Yah-Noh, a Cree word meaning a great place to be. Mee-Yah-Noh is a place where the students are truly fortunate to have great teachers at the helms of the classrooms and the school. Their focus is to ensure that the learning successes of children are filled with vibrant, everlasting, high-quality experiences and opportunities. As Dr. Seuss so aptly said: "Unless someone like you cares a whole awful lot, nothing is going to get better. It's not."

Mr. Speaker, special heartfelt thanks and congratulations to all of those from the past, present, and into the future whose tireless dedication and commitment to children makes Mee-Yah-Noh the great place to be that it truly is. The future of this dynamic school will be defined by new opportunities taken and discoveries made, and I look forward to the achievements yet to come. Mee-Yah-Noh elementary school will always be a place that will be part of children forever and of which children will be forever a part.

Thank you, Mr. Speaker.

Oral Question Period

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

Public Health Inquiry

Dr. Sherman: Thank you, Mr. Speaker. This is also the first anniversary of me being ejected from the government caucus for standing up for Albertans.

During the leadership campaign the Premier unconditionally promised a public inquiry. She said, quote: my call for an inquiry is about finding out the truth and putting a stop to practices that go against my personal and political values. Unquote. Now she has broken her promise and is towing the party line. Why is the Premier putting her political fortunes ahead of the truth?

Ms Redford: Mr. Speaker, as I said yesterday, it was a wonderful day to be able to have the legislation tabled with respect to the Health Quality Council. It's going to strengthen their ability to do exactly what I would like them to do. You know, what's great about this is that they're going to do it independently, they're going to do it in public, they're going to be able to compel witnesses, protect witnesses, and it can be judge led. That's transparent, and that's the commitment. I'm very proud of that.

Dr. Sherman: Given that exactly a year ago today my expulsion happened for standing up for public health care, positions the Premier supported in her own leadership race – the Premier was quoted as saying that failing to hold a public inquiry for fear of harming the government's re-election chances is cynical politics; that's her quote – why was the Premier silent on health care when Albertans needed her the most, only to speak up when she needed their votes the most, only to reinvent a different public inquiry and delay the truth?

1:50

Ms Redford: Mr. Speaker, Albertans care about public health care. I care about public health care. This government is committed to public health care. This caucus is committed to public health care and will continue to be committed to public health care.

The Speaker: The hon. leader.

Dr. Sherman: Thank you, Mr. Speaker. Given that several members of the government caucus who are against a public inquiry and, in fact, caused the health care crisis that we faced last year and still face today may not be seeking re-election, is delaying a public inquiry the Premier's way of avoiding the tough questions that Albertans want answered before an election?

Ms Redford: Mr. Speaker, I'm not quite sure I understood the question, or maybe it's that I don't understand the hon. member's reality of politics. But I'll tell you that we are committed to moving ahead on this, to answering those questions, to ensuring that the Health Quality Council will have the ability to do exactly what we want them to do in the best interests of Albertans.

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

Fixed Election Dates

Dr. Sherman: Thank you, Mr. Speaker. Let me ask another question and offer another reality. The Premier's performance on keeping her promises is the same as the government's record on health care: only about 30 per cent, a failing grade. Half measures, flip-flops, and backtracking have defined this government. The Premier promised democratic reform with fixed election dates. Now she proposes fixed election seasons. Why is the Premier breaking yet another promise to Albertans?

Ms Redford: It is wonderful to come to the House again today for question period and to be able to see what the work of this House was yesterday: Bill 21, Election Amendment Act, 2011; Bill 23, Land Assembly Project Area Amendment Act, 2011; Bill 25, Child and Youth Advocate Act; Bill 26, Traffic Safety Amendment Act, 2011. This is a government that keeps its word, Mr. Speaker.

The Speaker: The hon. leader.

Dr. Sherman: Thank you, Mr. Speaker. The question was about fixed election seasons.

Given her work with great world leaders, the Premier must have learned the importance of true democracy. How can the Premier call her leadership open and transparent when it only seems to be about power and control, the very democracy those world leaders fought against?

Ms Redford: Mr. Speaker, my recollection is that within two hours of me being elected leader of this party, I heard comments from many people in the hon. opposition saying: we need to make sure we have a fall session. We have a fall session. We have legislation that represents work done by a caucus that is committed to serving Albertans. I can't think of anything more transparent than being in the House debating legislation that matters to Albertans, having question period, and knowing that any issue the opposition would like to raise, they can raise. That's transparent and accountable.

The Speaker: The hon. leader. Hon. leader, I've called you.

Dr. Sherman: Thank you, Mr. Speaker. I understand that it's question period. It would be nice if it was also answer period.

Given that this Premier seemed to be more concerned about polling than democracy and fairness, why does the Premier insist, with these fixed election seasons, on having a 50-yard head start on what is a 100-yard dash when it comes to the next election?

Ms Redford: Mr. Speaker, Albertans want to know there's going to be an election every four years. We think this legislation, that's before the House and can be fully debated in a fully transparent manner, represents what Albertans want to see. They want certainty. They want security. I'd suggest that if the opposition is concerned about ensuring that they have a head start, they can read the legislation to get ready for a provincial election. That's democracy.

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

Fiscal Accountability

Dr. Sherman: Mr. Speaker, we all want certainty and security, yet with this government we get uncertainty and insecurity. Yesterday the government painted a gloomy picture – a very gloomy picture – of a \$3.1 billion deficit, setting up yet another Conservative public relations election strategy saying no to the people. How can the Premier ask her subjects to trust the government to balance the books by 2013 when their own forecasts jump so wildly based on the math skills of whomever is sitting in the Finance minister's chair?

Ms Redford: Mr. Speaker, I find the hon. Leader of the Opposition's comments quite interesting. Last time I checked, this was a democracy. I don't have subjects; I have people that can choose who to vote for, and they're going to be able to do that in the next election.

The Speaker: The hon. leader.

Dr. Sherman: Thank you, Mr. Speaker. The subject that the government needs to worry about is math.

Given that the government has a history of massaging the numbers, can the minister tell us how much better the deficit will be just before the next election?

Mr. Liepert: Mr. Speaker, I've got news for the hon. member. What we presented yesterday was not a lot different than what was

presented and debated in this House six months ago. Our projections are that our budget deficit is . . . [interjections] If they would have allowed us to yesterday, we would've tabled these documents. They could've read them for themselves. I'll repeat: our projected deficit is what we said in the House on the budget.

The Speaker: The hon. leader.

Dr. Sherman: Thank you, Mr. Speaker. Given that when you plug in the current oil price and the Canadian dollar figures, which are near a hundred bucks a barrel, you arrive at an actual deficit that's about a half billion dollars less than the minister claims, did the Minister of Finance intend to mislead Albertans by making the deficit look worse, or can he simply not add?

Mr. Liepert: Mr. Speaker, I think what this particular member has to realize is that what we're projecting is what the price of oil will be for the entire year, not what it is today. If the member just takes a look back in history, a very short two or three months ago the price of oil was about \$80 a barrel. So what we're projecting is what the average price of oil will be. Quite frankly, if it's higher at the third quarter, we'll report that it's in a better position than at second quarter.

Public Health Inquiry (continued)

Mr. Anderson: Mr. Speaker, during her leadership campaign this Premier made a clear promise to Albertans that she would call a full public inquiry into intimidation and manipulation of health workers by our government and AHS leadership and that it would happen prior to the next election. She made this the cornerstone of her leadership campaign. Well, if her word is her bond, that bond must be from Greece or Italy. To the Premier: will you apologize to Albertans for breaking your promise to conduct a public, judge-led inquiry before voters go to the polls?

Ms Redford: Mr. Speaker, this legislation sets out very clearly that the Health Quality Council will have full powers to call an independent inquiry. That's what Albertans want, that's what I want, and that's how we're going to serve Albertans best.

Mr. Anderson: Given that this Premier has now made it optional for the Health Quality Council to call a judge-led inquiry and given that she has delayed the process so that it cannot possibly be conducted before the next election and given that she has appointed a health minister who put himself at the centre of this scandal when he called the head of the college of physicians to question the mental state of the Leader of the Official Opposition, Premier, how do you expect Albertans to believe that you have anything but your party's political survival in mind when dealing with this issue?

Ms Redford: Mr. Speaker, there is no doubt that Albertans care about health care, and there is no doubt that they will trust this government to deliver good health care. They will also trust this government to do exactly what we committed to doing, and that was to ensure that there was a full public inquiry that would allow an independent body to get to the bottom of the information. At the end of the day what Albertans will determine going into the next election is who actually constructively delivered on their commitments.

Mr. Anderson: Well, then, we'll have a big Wildrose win there, Mr. Speaker. Won't we?

Here is your chance to clarify everything – everything – for all Albertans. Premier, will you commit here and now that you will call a judge-led, open to the media public inquiry into the extent of your government's and AHS's intimidation and manipulation of Alberta's health care workers to be completed prior to the next election, as you promised, so that voters can assess whether your party truly deserves four more years of unfettered power?

Ms Redford: Mr. Speaker, this legislation clearly sets out the commitment that we've made to ensure that Albertans will get full information with respect to what's happening with the health care system. We are fully committed to that. The legislation sets that out, and that's what Albertans want.

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

Fixed Election Dates

(continued)

Mr. Mason: Thank you very much, Mr. Speaker. This Premier made many promises during her campaign for leadership of the Tory party. Many of these promises are barely recognizable today. One such broken promise was setting a fixed election date. Why has this Premier broken her promise to have a fixed election date, or does she believe that a date lasts three months?

2:00

Ms Redford: Mr. Speaker, this legislation does exactly what Albertans want it to do. What Albertans said is that they wanted certainty. What other political parties said is that they wanted to be prepared for the next election. I'd suggest that the political parties better get prepared for the next election.

Mr. Mason: How can this Premier talk about what Albertans want? She has no mandate.

Given that this Premier also made a promise to work with opposition parties and to encourage their input, why did she make a decision regarding election legislation without any consultation with other political parties in this Assembly whatsoever?

Ms Redford: Mr. Speaker, the last time I checked, the way a Legislature works is that a government puts forward legislation and then members debate the legislation. That's the point in time, just in case they'd like to know, that they're supposed to offer their input, and I'm looking forward to the debate.

Mr. Mason: Mr. Speaker, the arrogance from this Premier is overwhelming. Given that this Premier promised open dialogue and to accept the input, even a new role for the opposition, for her now to turn around and suggest that the only time we can have input is in an election is the height of arrogance. I've never seen anything like it before.

Given that there is no fixed election date as promised and given that there has been no consultation with opposition parties on this or any other matter, why should Albertans trust any promises this Premier makes from now on?

Ms Redford: Mr. Speaker, what I said was that the input is legitimate input that needs to be in the Legislature. That's why we elect members, to have public debate in the Legislature, and that's what we'll be able to do.

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

Services for the Brain Injured

Mr. Taylor: Thank you very much, Mr. Speaker. A number of severely brain-injured people in Calgary are being forced out of the residences that they've called home for up to 11 years because Alberta Health Services in Calgary put out an RFP this summer on all bids for the brain injured under their authority. The RFP was developed without any consultation with the personal care home operators or the families of their clients and at that time proposed to lower funding by up to 68 per cent. The RFP has since been amended five times. To the Premier: since other government programs like PDD have an ongoing consultation process in place, is it not against government practice to develop an RFP involving vulnerable people like this behind closed doors?

The Speaker: The hon. minister.

Mr. Horne: Thank you, Mr. Speaker. The hon. member in raising the issue of brain-injured patients is not alone. Services for brain-injured Albertans have also been the subject of discussions between myself and many of my colleagues on the government side of the House. The RFP that the hon. member refers to was issued by Alberta Health Services. My understanding is quite contrary to that of the hon. member. My understanding is that the families, the residents, the operators were all involved in detailed planning for the new placements for the individual residents who are affected, and I'm satisfied that they've had appropriate input.

Mr. Taylor: Okay. I will ask this question, Mr. Speaker, to the health minister. Explanation, please. Why is it that Calgary chose to tender out these services, yet Edmonton just renewed its current contracts with its operators for five years? Aren't the rules supposed to be the same for the entire province?

Mr. Horne: Well, Mr. Speaker, I can't speak for Alberta Health Services in terms of how they managed the placement of these residents, but what I can say is that in the case of Calgary the total financial resources that are devoted to the services for these patients is actually \$800,000 greater as a result of this change. So I'm very satisfied that the appropriate degree of resources is in place to provide for their needs.

Mr. Taylor: Mr. Speaker, this last question of mine is for the Premier. Is the Premier aware that the parents of the affected clients had petitioned both the ministers of Health and Seniors this past August 16 to transfer support services for the brain injured from Alberta Health Services to Alberta Seniors?

Ms Redford: Mr. Speaker, I have consulted with both of my ministers on this. It is an issue that they have been meeting with stakeholders on, and I know they've had a meeting with the hon. member on this. I believe that they're taking those issues very seriously in terms of considering what the best options available are. But I am aware of that.

The Speaker: The hon. Member for Strathcona.

Global Economic Conditions

Mr. Quest: Well, thank you, Mr. Speaker. The Fraser Institute released a report today called Economic Freedom of North America 2011, that lists Alberta as the most economically free jurisdiction in North America. My first question is to the Minister of Finance. Has the minister seen this report yet? If so, is it consistent with any other studies that the government has undertaken in this area?

Mr. Liepert: Well, Mr. Speaker, first of all, I have not seen the report, but I've seen media reports, and all I can say is that they are very encouraging. In some ways it's some of the same conclusions that we've drawn. We're pleased that the Fraser Institute, which I know some members of this House think very highly of, recognizes our efforts to make our province more competitive. We strive in this province to encourage entrepreneurialism. We recognize that there's more work to be done in the area of regulatory reform in those particular areas, and we're going to continue to work to make it even more economically free.

The Speaker: The hon. member.

Mr. Quest: Well, thank you, Mr. Speaker. My supplemental is also to the same minister. With the global economic turmoil that's going on, including markets falling and news that the U.S. has been unable to agree on a plan to reduce their deficit, we can't ignore what's going on around us. What's being done to determine the impact on Alberta?

Mr. Liepert: Well, you know, we don't need to do a lot of studies. All we have to do is look at the documents that I'll be tabling later this afternoon, which show that the investment from the heritage fund is about half of what we had projected in our budget just six months ago. That's primarily because of the economic situations that exist in both Europe and the United States. We have to ensure that we try to continue to create the environment for business. I think that we're not immune to what's going on in the world, but I would say that I don't think there's a better place in North America to do business today than Alberta.

The Speaker: The hon. member.

Mr. Quest: Thank you, Mr. Speaker. My final question is to the same minister. There's been a lot of talk recently about Alberta's tax system, especially from the minister. How does Alberta sit today compared to other provinces with respect to taxation?

Mr. Liepert: Well, Mr. Speaker, one of the things that we did prepare, the Treasurer and myself, relative to the round-table discussions that we held throughout the province, was an analysis of our overall tax structure. What we determined was that if Alberta had the tax structure of British Columbia, Albertans would pay \$11 billion more in taxes annually. Now, British Columbia is the next closest to us. At the other end of the scale is the Quebec government, and if Alberta had the tax structure of Quebec, we'd be paying \$20 billion more in taxes than we currently are. Again, I think the Fraser Institute has recognized this, and we're appreciative of that.

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

Federal Police Officers Recruitment Fund

Mr. MacDonald: Thank you. Three years ago the Solicitor General received over \$42 million from the federal government to recruit much-needed police officers across the province under the police officers recruitment fund. My first question is to the Solicitor General. Can the minister please provide this House with an update on where and how much of the \$42 million has been used in the last three years under the police officers recruitment fund?

Thank you.

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. As this member is probably well aware, since 2008 we have provided 108 new

police officers here in Edmonton, 123 in Calgary. We will continue to support law enforcement in this province as part of our safe communities initiative, that the Premier started herself when she was Minister of Justice.

Mr. MacDonald: Again to the Solicitor General – and I'm talking specifically about the \$42 million that was provided by the federal government to hire new police officers across the province – why has \$30 million of the \$42 million of this money not been used when Alberta continues to have the second-lowest ratio of police officers to citizens in the entire country? You, sir, are not doing your job.

Mr. Denis: Mr. Speaker, I take umbrage with that member's comments. This is conduct unbecoming a member here.

This member knows our safe communities initiative has consistently reduced the crime rate in Alberta, and that is something that we can be proud of.

The Speaker: The hon. member.

Mr. MacDonald: Thank you. I would request, first, that this minister read his own annual report, and he would see where this money has been left on the table. Given that the city of Edmonton, unfortunately, has a very high homicide rate, why is this federal money being left on the table instead of being used to support our hard-working police officers across this province?

Thank you.

Mr. Denis: Mr. Speaker, I've read this report, and I would suggest that this member opposite get a dictionary so that he can read it himself as well. The crime rate is going down. Our safe communities initiative is supporting this entire province's police officers. This is something that we can be proud of, and we can stop this partisan rhetoric.

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

2:10

Education Consultation

Ms Woo-Paw: Thank you, Mr. Speaker. My question is to the Minister of Education. He announced that he wants to seek further input on the Education Act. This is in addition to the already significant outreach that was conducted as part of the drafting of the original legislation. So what were the issues with the previous consultation and the subsequent legislation?

Mr. Lukaszuk: Well, Mr. Speaker, there were no issues per se, as a matter of fact. My predecessor had engaged in dialogue with Albertans for quite a long time. However, I'll say to you that the Education Act, being, I would argue, the most fundamental piece of legislation any province can have, doesn't get reviewed very often. As a matter of fact, the School Act was reviewed when I completed high school. I want to be able to give students in the classroom and parents assurance that we have done everything we possibly could to make sure that this act is ready to educate our kids not for a decade but for two decades so that we graduate citizens that are ready for the world. We will take our time, and by spring the act will be tabled, and we'll debate it in the Chamber.

Ms Woo-Paw: My next question is to the same minister. While some Albertans will have the opportunity to provide some input on the act at the seven forums, how will this minister ensure that Albertans from all corners of the province will have an opportunity to participate in the consultation process?

Mr. Lukaszuk: Mr. Speaker, the member is correct. There will be seven in-person forums. We will be giving priority to students and parents and teachers to appear in person if they choose to do so. We will also be engaging a variety of technologies. So if you wish, you'll be able to twitter me. You can contact me on Facebook. You can send me an e-mail. We will have a website you can blog. Or you can do a crazy thing: get a piece of paper, pen, envelope, and a postage stamp and send me a letter. I'm asking all Albertans to get involved because education should matter to everybody, not just those who are engaged in the education system.

The Speaker: The hon. member.

Ms Woo-Paw: Thank you. With legislation as important as this I think we should consult the people who'll be impacted by it, so I would also like to hear from the minister how the young people would be consulted meaningfully.

Mr. Lukaszuk: Well, this is the exciting part, Mr. Speaker. I really want to hear from students. I want to know from students what in their opinion would make education more engaging. What do they expect from their education experience? What would they do if they were Minister of Education for one day? So I'll be asking the smallest little ones in grade 1 all the way to grade 12 to get engaged in this process and share with me what in their opinion would make a great education system. They will have different ways to get in touch with my office. I'm looking forward to that input, which will be, I'm sure, very meaningful.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Lesser Slave Lake.

Residential Construction Standards

Ms Blakeman: Thanks very much, Mr. Speaker. The 2008 building envelope survey done by the government with the city of Calgary said that Alberta's "system of construction and inspection is not performing adequately to protect the home or condominium owner." In real terms that means that Albertans can be paying tens of thousands of dollars to fix badly built new homes and condominiums. To the Minister of Municipal Affairs: why is it that in three and a half years the government hasn't adopted a single change relative to new residential construction?

The Speaker: The hon. minister.

Mr. Griffiths: Thank you, Mr. Speaker. I'd like to thank the member for asking me my first opposition question.

Mr. Speaker, we're aware of some of the challenges around the province with condominium owners and homeowners. We're reviewing the home building standards right now, and we're working on making sure that the right punitive measures are in place and the proper timelines to make sure that those who are not building appropriately are punished as opposed to those who are doing a great job around this province.

The Speaker: The hon. member.

Ms Blakeman: Thanks very much. Well, this is a recurring theme.

Back to the same minister. Given that the government suggested in June of this year that adoption of new homeowner protection measures was imminent, like, right away, like, soon, why are condo owners and homeowners still waiting for even one of those measures to be put into place?

Mr. Griffiths: I'm sorry, Mr. Speaker. I can't comment on what was promised by the department earlier. I know that our department is working on it right now, and they are coming forward. We're hoping for some adoptions to the code this spring.

The Speaker: The hon. member.

Ms Blakeman: Thank you. As minister you're responsible for now and before.

Last question. Why hasn't this government been able to find the courage to increase the woefully inadequate Safety Codes Act fines? I mean, they're a joke. They're a cost of doing business. This department keeps reviewing and reviewing, but nothing is happening. When are we going to see it happen?

Mr. Griffiths: Mr. Speaker, my comment was not that I'm not responsible, but I can't comment on what exactly happened in the process at the time because I wasn't the minister.

This spring I will be bringing forward legislation that takes the six-month period when violations can be identified and fines can be levied to a three-year period because it usually takes that long for those sorts of structural challenges to be identified. We're raising the fines on the first offence from \$15,000 to \$100,000 and from \$30,000 to \$500,000, and it will punish those who are not building to code.

The Speaker: The hon. Member for Lesser Slave Lake, followed by the hon. Member for Calgary-Fish Creek.

High Prairie Health Care Centre

Ms Calahasen: Thank you, Mr. Speaker. It's been 12 years, 12 long years, since we started working on the replacement High Prairie health facility. This project has been on again, off again. Now I see some movement on the proposed site, but not many people know what's going on. My first question is to the Minister of Infrastructure. Could you please provide my constituents with an update as to what has been going on for the health facility?

Mr. Johnson: Certainly. Mr. Speaker, this exciting \$90 million project has been many years in the making, and I know we're committed to making it a reality for this member's community. What I can tell you is that my department has been working hard with Alberta Health and Wellness and Alberta Health Services. We'll be able to move to comprehensive design work once the functional program is complete. But what I can tell the hon. member is that there is dirt work going on; there is site preparation going on. Crews have been working hard to do the grading and installation of underground utilities and roadwork.

Ms Calahasen: My second question is to the minister of health given that the \$90 million facility has been allocated, and the community has been involved with doing work with the health facility. They've been working to make sure that we include the renal clinic, cancer clinic, and CT scan. Now they're being told that these are just shell spaces. My question is to the minister of health. Please tell my constituents that these are not just shell spaces but operational spaces.

The Speaker: The hon. minister.

Mr. Horne: Thank you very much, Mr. Speaker. Well, the reality of a new hospital for Grande Prairie is, in fact, very real.

Ms Calahasen: High Prairie.

Mr. Horne: High Prairie. Excuse me.

As the hon. Minister of Infrastructure mentioned, work is already under way with respect to the design. What I'm interested in – and we're continuing to work with the community on this – is making sure that we have the programs and services we need not only for 2011 but for 20 years down the road. To that end, we'll continue to work with the hon. member in designing spaces.

Ms Calahasen: Well, my final question is to the same minister. And it is High Prairie. Currently, we have 42 long-term care beds and a lot of people waiting to get on the list, yet that new facility is only allotted 42 long-term care beds. We always talk about how we're meeting future needs of health care. How does this then meet the future needs of my constituents?

The Speaker: The hon. minister.

Mr. Horne: Thank you very much, Mr. Speaker. What it means for the community of High Prairie and for the new High Prairie hospital, in fact, is that we need to continue to work together to complete the functional program design for the facility. Whether or not we have sufficient continuing care spaces included in the current draft of the plan is a very valid question, and it's one I'll be relying on the advice of the hon. member and her constituents for as we move ahead.

Thank you.

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

Tom Baker Cancer Centre Pathology Lab

Mrs. Forsyth: Thank you, Mr. Speaker. Yesterday Dr. Tony Magliocco sounded the alarm over the pending closure of cancer testing at the Tom Baker cancer centre. Not only do they express grave concerns over what might happen to Alberta cancer patients should this world-class testing facility close, but he told of what he encountered when he tried to raise these concerns. He was bullied, he was threatened, and he was told he would regret it if he didn't shut up and go along with it. To the health minister: can you assure Albertans here and now that cancer testing will not be impacted by the closure of the Tom Baker?

The Speaker: The hon. minister.

Mr. Horne: Thank you very much, Mr. Speaker. I thank the hon. member for this question because I can completely assure the residents of Calgary and, in fact, all Albertans that the testing services that will be provided when this relocation is complete to Calgary Lab Services will be safe, and they will be of the highest quality. In fact, as we speak, both Mount Sinai hospital from Toronto and the Mayo Clinic from the United States are involved in the validation of the testing processes that will be used at Calgary Lab Services.

2:20

The Speaker: The hon. member.

Mrs. Forsyth: Thank you, Mr. Speaker. I find that answer very interesting, so I'm going to ask the minister this: when will you table that impact study?

Mr. Horne: Mr. Speaker, I didn't talk about a particular study or report. My information is from Alberta Health Services with respect to the process they are following to plan for and implement the relocation of lab services.

I must say, Mr. Speaker, that I think it's unfortunate and, in fact, quite sad that members of this House would suggest to Albertans, to Calgarians that the services they are going to receive are unsafe, that patients are at risk as a result. This is not a closing; it's a relocation. It's being done with the utmost attention to detail and to the highest international quality standards that apply.

The Speaker: The hon. member.

Mrs. Forsyth: Thank you, Mr. Speaker. To the health minister: given that the Tom Baker cancer centre will close – it will close, not relocate but close – in eight days and given that neither the Premier nor you or your superboard has given any assurance that cancer testing won't be impacted, will you please stop playing politics with the lives of Albertans and stop the closure of the Tom Baker cancer centre?

Mr. Horne: Mr. Speaker, I think the hon. member would do well to develop an ability to distinguish between politics and science and appropriate approaches to health administration. First of all, the hon. member said that the Tom Baker centre is closing. It is not closing. Lab services located at that centre today are being relocated to a larger facility, Calgary Lab Services, and being consolidated with other services on that site. The result is the opportunity to deliver more tests, increase throughput, maintain and increase quality and safety, as we always do in the health care system, and ensure that Albertans have hope of receiving their test results in a more timely fashion in the future.

Thank you.

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

Secular Public Education in Greater St. Albert

Mr. Hehr: Mr. Speaker, I was present at the Alberta School Boards meeting this morning and had the opportunity to listen to the Minister of Education's comments. In his address the minister used the term "equity" and discussed applying that principle throughout the education system. When the minister spoke and used the term "equity," I immediately thought about the situation in Morinville, a situation where parents are wanting a secular school for their children but still do not have that opportunity. To the Minister of Education: why do parents in Morinville have to send their children to a school that is not a fully secularized public school?

The Speaker: The hon. minister.

Mr. Lukaszuk: Thank you, Mr. Speaker, for that good question. When I talk about equity, what I'm saying is that every child anywhere in Alberta, no matter where they live, deserves the same high quality of education. That doesn't always mean equality; it means equity because in some areas certain added resources need to be put in place to bring that level of education to the same level.

With reference to Morinville, Mr. Speaker, indeed there are concerns relevant to the provision of Catholic and secular education. The school board, whose trustees are duly elected by residents of that area, will have an opportunity to address that issue and resolve that issue. Hopefully, my office will not have to be involved in addressing a local issue.

Mr. Hehr: Well, given that the minister is in charge of this file and that that situation has been dragging on for some time and given that Morinville parents do not have a secular school of their

own and that they are forced by government inaction to send their children to a holy parade of religious teaching, does the minister consider this equitable?

Mr. Lukaszuk: Mr. Speaker, I have a great deal of faith in and a great deal of respect for locally elected authorities. In that area there are duly elected trustees, and I know that they have the best interests of all children in the area in mind. I know that they have the ability to sit around a table – and I will be meeting with them, by the way, within the next couple of days. They will sit down around their common table and see if they can locally arrive at a solution so that one is not superimposed by my office. Locally arrived at solutions are always better than the ones put in place by a minister.

Mr. Hehr: Well, Mr. Speaker, this situation has dragged on for a number of years now. When will the minister take his skates off, do the right thing, and provide a solution to this problem where Morinville children cannot go to schools that provide a secularized schooling opportunity for their parents and for their children? Enough is enough. Let's make a decision.

Mr. Lukaszuk: Well, Mr. Speaker, this member obviously is not well informed on the nature of the issue and the seriousness of the issue. These parents indeed are looking to a resolution, but as I said earlier, there are reasons to believe that a resolution can be found at the local level.

This is not an issue that should be politicized. There is no skating going on. We have parents who have certain rights and want to exercise them. We have trustees that have the ability and the tools to resolve that issue. We'll let them resolve it immediately. If not, my office ultimately will have to make a decision. But that's not the ultimate way of bringing peace into that part of the world.

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

Quarterly Financial Reports

Mr. Fawcett: Thank you, Mr. Speaker. As was evidenced earlier this afternoon with the official opposition on the quarterly update, all my questions are to the Minister of Finance. While financial accountability is important to any government, does the requirement of a public announcement of quarterly financial results provide any real value to the Alberta public regarding the long-term fiscal position of the government?

Mr. Liepert: Well, Mr. Speaker, these quarterly updates have been taking place now, I think, for some 15 years. They originated because at one point in time the budget that was projected ended up being quite different a year later. I think we have to emphasize that the quarterly updates really are just a snapshot in time. I guess what I would say is that we have to ensure that we reflect from these quarterly updates the budget that was introduced, not the previous quarter, and if you follow that strategy, we're pretty much on target with the budget that we introduced here in February.

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. The minister has given rise to my next question. Given that Alberta has a significantly volatile revenue stream, which is a result of reliance on nonrenewable resource revenue, does it make any sense to report publicly such short-term swings in revenue as required in the quarterly fiscal update?

Mr. Liepert: Well, we need to be clear, Mr. Speaker, that the quarterly reporting is actually the law of this Assembly, and I have no intention of breaking the law. So this is something that we will continue to do unless we change the law in this House. It's not my prerogative; it's this Assembly's. I guess all I could add is that our quarterly update does give Albertans a point-in-time view of what our financial situation is. I think that this is a government that's open and transparent, and we're not going to apologize for that, Mr. Speaker.

The Speaker: The hon. member.

Mr. Fawcett: Thank you very much, Mr. Speaker. That leads me to my last question. Will the minister commit to reviewing the overall purpose of quarterly financial updates, taking into consideration that balance between financial accountability and other consequences, intended or unintended, of the current requirements?

Mr. Liepert: Well, Mr. Speaker, I think we're always looking for ways to improve. I would say that if there are suggestions within this Assembly of ways to improve on this reporting, please bring them forward. But I want to go back again that our objective is to be open and transparent and ensure that there are no surprises for Albertans when the year-end financial statement comes out.

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

Postsecondary Education Funding

Dr. Taft: Thanks, Mr. Speaker. During her leadership campaign the Premier promised new funding for postsecondary students. The harsh reality is that in the past two years Alberta students have seen millions of dollars cut from grant programs. Students, like all of us, are tired of empty promises. To the minister of advanced education: given the \$3 billion deficit and the already scarce funds in our postsecondary system where and when is the minister going to get this additional funding? Or is he going to break the Premier's promise?

The Speaker: The hon. minister.

Mr. Weadick: Well, thank you, Mr. Speaker. I'm pleased to stand up and answer that question. You're right. This Premier has spoken often about her commitment to education, to postsecondary education, and to health, and we're pleased with that. This is a very opportune time to talk. We are in budget discussions right now. We're talking about how we can fund the budget into the future. We're also looking at how we can do student finance differently to make sure that we have finances available for those students that need it most as well. So it's going to be a combination of moving forward with new funding for growth within the postsecondaries, new funding for new programs, as well as student finance options.

Dr. Taft: Well, Mr. Speaker, a promise is a promise. So what precise timeline and amounts can the minister give us, other than the sort of vague reassurances we just got, as to the new bursaries that the Premier promised?

The Speaker: The hon. minister.

Mr. Weadick: Thank you. The budget will come out early in the new year, and all of those items will be included in the budget, the things that have been promised and discussed as well as some

really exciting new things that I think everyone in the House here will be pleased to see. Postsecondary students are being consulted as we speak. We're working with our postsecondaries and looking for lots of great opportunities to continue to grow chances for both rural and urban students to get the best possible education they can.

2:30

Dr. Taft: Well, since Alberta literally is the richest place on earth, will the minister place accessibility first and restore the millions of dollars that were cut from student grants in the last budget?

The Speaker: The hon. minister.

Mr. Weadick: Thank you. I think you're probably referring to the access to the future, or at least as part of that, because that funding did flow through in support of grants and bursaries.

Last year we also made some changes. We removed some small grants but also increased significantly the amount of loans that were available to students because they'd asked us to increase those numbers in both how much they could borrow for living costs and all those things. We've tried to respond to what the students have asked for. The new program where students can volunteer for bursaries that will help them to gain both the experience in the not-for-profit sector and get bursaries and grants that they can use for their education is a wonderful new program that's only new this year. So I think we're doing a lot of good things for the students and for their finances.

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

Highway 2 Interchanges

Mr. Rogers: Thank you, Mr. Speaker. The Nisku-Leduc industrial area in my constituency is located just south of Edmonton and is home to some 20,000 workers who travel highway 2 daily. Congestion at the highway 19 and Airport Road interchanges is becoming very dangerous. Traffic backs up to the Blackmud Creek, and there have been many recent accidents. To the Minister of Transportation: what is your department doing to help these workers and the rest of the public stay safe on highway 2 between Edmonton and Leduc in the near term?

The Speaker: The hon. minister.

Mr. Danyluk: Thank you very much, Mr. Speaker. In fact, we are always working on our Alberta highways to ensure that they are safer for the public. In direct answer to the hon. member I want to say to him that the current construction that we're doing on 625 is going to alleviate some of the concerns going into Leduc off highway 19. As well, in the future we're hoping to do work on highway 19 to alleviate that congestion coming from the other side.

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. Again to the same minister: with the continued growth in this corridor, including Port Alberta at the Edmonton International Airport, I'm just wondering what long-term infrastructure improvements you and the department are contemplating?

Mr. Danyluk: Well, Mr. Speaker, in fact, that is a very congested highway, and in the future it does have to be twinned. I'm speak-

ing about highway 19. We do have a lot of traffic that comes from the Devon area into the thoroughfare of highway 2. That is a bottleneck, and we're working on it and seeing what we can do in the very near future.

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. Certainly, with the neighbouring communities of Leduc county, the city of Leduc, and of course Edmonton International Airport I would ask the minister whether or not he's willing to work with these entities to make sure that the planning is done properly?

Mr. Danyluk: Well, in fact, Mr. Speaker, as recently, I believe, as last week I had a meeting with the mayor of Leduc. Also, I'm hoping to meet with the municipality, the rural municipality, the county, and I believe we have a meeting planned with the airport commission. I have also met with the residents of the area to talk about the plans and the future plans for what we're doing as far as highway enhancement and the interchanges. I need to say to you that we very much recognize that that area is a concern, and the safety of Albertans is always our primary focus.

Logging in the Castle Special Management Area

Mr. Chase: This year is the United Nations International Year of Forests. This should be a joyful occasion to celebrate our natural heritage and biodiversity. Unfortunately, Alberta reality isn't so. This government has sold out against citizens' will an ecologically significant forest treasure with the upcoming logging in the Castle area. To the Minister of SRD: given that the vast majority of Albertans are opposed to the devastating effects of clear-cutting, will the minister commit to banning this unsustainable practice from our province?

Mr. Oberle: Mr. Speaker, the hon. member is probably not aware or, I would say, definitely not aware that there has in fact been logging in this region for over a hundred years. I think the evidence speaks for itself. It's done in a responsible and sustainable manner.

Mr. Chase: To the Minister of Tourism, Parks and Recreation: given that clear-cutting will have a negative impact on local business and provincial tourism, how can the minister justify going against his own mandate, which is to promote Alberta as a tourism destination?

The Speaker: The hon. minister.

Mr. Hayden: Thank you, Mr. Speaker. That's exactly what we do, promote Alberta as a tourist destination, one of the very finest in the world. So that the hon. member understands, it's against the law in Alberta to take timber in a park.

Mr. Chase: And that's my next question. Thank you very much. Given that the vast majority of residents in southwest Alberta want reinforced special places protection for the Castle area, will the minister defend our natural heritage and proclaim the Andy Russell I'tai Sah Kòp wildland park?

The Speaker: The hon. minister.

Mr. Hayden: Thank you, Mr. Speaker. Of course, we will treat this advice that we're getting from Albertans as we always treat advice from Albertans. If it's what, in fact, they want, it's what I'm expecting they will get. We want to protect as much of

Alberta's eastern slopes as we possibly can because it's such a treasure not just to Albertans but to the rest of the world.

The Speaker: The hon. Member for St. Albert.

Federal Safe Streets and Communities Act

Mr. Allred: Thank you very much, Mr. Speaker. In September the federal government introduced the Safe Streets and Communities Act, an omnibus crime bill aimed at targeting crime and terrorism and providing support and protection to victims of crime. My first question is to the Minister of Justice and Attorney General. Does Alberta support the changes proposed in Bill C-10?

The Speaker: The hon. minister.

Mr. Olson: Thank you, Mr. Speaker. Alberta does support many of the changes proposed in C-10, and we've long been supportive of the changes that have been worked on in individual bills that have led to this new omnibus bill. We're supportive of changes to the Criminal Code that we feel are needed to ensure that our communities remain safe and secure. We're going to continue to work to ensure that our courts and our police and Crown prosecutors have the tools that they need to ensure safe communities. We're going to be watching this legislation with interest as it proceeds.

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker, for that answer. My first supplementary question is to the same minister. Is the Alberta government in support of the mandatory minimum sentences proposed in Bill C-10?

Mr. Olson: Mr. Speaker, these new mandatory minimums and the proposed increases to existing mandatory minimums we think achieve much-needed consistency and predictability and an appropriate floor, particularly when it relates to crimes against children. Alberta has taken a leading role in connection with protection of children against these types of offences, and we've been prosecuting vigorously. These sentencing ranges, interestingly, that are being proposed in the new legislation actually are still below the vigorous sentences that we've been seeing in Alberta.

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker. My last supplemental is to the Solicitor General and Minister of Public Security. Both Ontario and Quebec have stated that they are refusing to pay additional costs associated with the bill. Has the minister considered the costs associated with this bill and who will be picking up the tab?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. Fighting crime does cost money, unlike what the opposition may seem to think today, and we want to be at the table with the federal government to discuss this issue. The bill has not yet been passed, but I am meeting with the federal Minister of Public Safety, Vic Toews, next month to discuss this. There are many positive things to the bill such as the modernization dealing with Internet predation as well as the changes to the Youth Criminal Justice Act that our government does see as positive. We will be discussing the financial issues behind it as well.

The Speaker: Hon. members, that concludes question period for today. Eighteen members were recognized; 108 questions and responses. In 30 seconds from now we'll continue with the Routine, Members' Statements.

2:40

Members' Statements

(continued)

The Speaker: Hon. members, the hon. Member for Fort McMurray-Wood Buffalo.

Tom Baker Cancer Centre Pathology Lab

Mr. Boutilier: Thank you very much, Mr. Speaker. Yesterday an Alberta doctor came forward who had been the director of pathology at the Tom Baker cancer centre when he resigned after encountering threats and intimidation for opposing the closure of the cancer lab. In his expert opinion closing the lab and shutting down the world-class cancer-testing institute could have serious potential life-threatening impacts on cancer patients. He did not want a repeat of what had taken place in Newfoundland.

He tried raising his fears with everyone he could, with the government bureaucracy and superboard. He raised it with the former health minister. He raised it with the superboard chair. He even raised it with the man the Premier is going to entrust with reviewing the health care system. He was told by a superboard supervisor that he would, quote, regret it if he did not shut up and go along with the government plan. At least the new minister of health voiced his displeasure with such inexcusable behaviour. Alberta cancer patients are appalled at how this Alberta doctor was treated.

Let me pivot for a moment to my hometown of Fort McMurray. This government often speaks of the Alberta economic engine, the oil sands. The only problem is that they have no idea how to oil it for health care. We are Canada's fastest growing community, but our public school board has received only one school in the last 26 years as we have over 1,200 births a year. Maybe that's a sign of cold winters. Clearly, things such as long-term care, highway 63 delays – both of these issues speak to an irrefutable truth. A question. Is this government interested in only two things: power and holding onto it no matter who they try to intimidate along the way?

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

Centennials of Edmonton-Calder Churches

Mr. Elniski: Thank you, Mr. Speaker. Churches are often bastions of cultural preservation and community growth. When a church celebrates a 100th anniversary, communities and congregations gather to remember the past and prepare for the great things to come. I'm pleased this afternoon to speak of not one but two such gatherings in my constituency. On October 23 St. Edmund's Catholic parish and school celebrated 100 years in Calder. On November 5 Chalmers-Castle Downs United church also celebrated its centenary.

It should come as no surprise that these two churches would still be thriving 100 years from when they were founded. After all, Mr. Speaker, Calder, or the village of North Edmonton, as it was known in those days, led the region in growth. To most of you here today, hon. members may not be aware that the first roads paved with bitumen from Fort McMurray were in Calder. Paving was done to improve the roadbed for the first streetcar line out of Edmonton. It was, in essence, the government of Alberta's first

investment in regional light-rail transit, and it played a major role in the success of both St. Ed's and Chalmers as successful congregations. St. Edmund's parish and school established itself as part of the new community of Calder growing up around the railroad. The United church opened its manse adjacently in Elm Park, a community aptly named for its vegetation.

When you think, Mr. Speaker, of the good works these two congregations have done in the last 100 years, one cannot help but be humble. I hope that we can give pause to think about the lives that have been enriched and the people who have benefited from the presence of these two institutions. Staying true to their roots and their beliefs has helped both congregations weather the passage of seasons and the changes in society. Both enjoyed fine celebrations with some reflection on the past and strong hope for the future. While I may not be here to celebrate with them in another 100 years, I do believe that they will do good work and continue the essential work that they do.

Thank you, Mr. Speaker.

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

Anthony Henday Drive

Mr. Xiao: Thank you, Mr. Speaker. I rise today to speak about the important investment that our government, with the support of the federal government and the city of Edmonton, has made in our provincial infrastructure over the past several years. Anthony Henday Drive, also known as highway 216, was first envisioned in the 1970s as Canada's first free-flowing ring road. Since then, much funding, innovation, and hard work has gone into realizing this vision. The government of Alberta has invested over \$2.2 billion into the development of this road.

Mr. Speaker, in the constituency of Edmonton-McClung three new interchanges were opened in the past few months. The Callingwood Road and Lessard overpasses were built at an investment of \$45 million, and the Cameron Heights overpass at \$25 million. These interchanges have made the everyday commute in and around Edmonton safer, more convenient, and more enjoyable. The completion of the Cameron Heights interchange means that the last set of traffic lights was officially removed from Anthony Henday Drive, enabling a continuous traffic flow, which will potentially reduce noise levels along the ring road.

Just a few kilometres north of my constituency of Edmonton-McClung the Stony Plain interchange has also opened at an investment of \$168.6 million, which has significantly improved the traffic flow on the west side of the capital region.

Mr. Speaker, our government has always been dedicated to investing in infrastructure to aid in our economic growth and to ultimately enhance the lives of Albertans. The construction of these four new interchanges on the Edmonton ring road is an excellent example of our commitment to making Alberta the best place to live, work, and drive.

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

Bullying Awareness and Prevention

Mr. Blackett: Thank you, Mr. Speaker. Jamey Rodemeyer, age 14; Jared Benjamin High, age 13; Gary Hansen, age 16; Dawn-Marie Wesley, age 14; Megan Meier, age 13: these are young people across North America who were so tormented and traumatized by repeated bullying that they chose to end their own lives rather than open another vicious Facebook message or suffer through another day of homophobic taunting. Their deaths are

society's loss and are heartbreaking for their families and friends who loved them.

Tragically, youth are bullied every day right here in Alberta. It is senseless and unjustifiable aggression. Bullying in any form, in any place is unacceptable. So, too, is being a complicit bystander or witness without standing up to reverse it.

November 13 to 19 was national Bullying Awareness Week. This year our government supported a call to action led by passionate and courageous youth from Alberta's Prevention of Bullying Youth Committee. Children and youth in schools and communities across the province staged awareness activities, sending the message loud and clear to all Albertans that bullying is horrible, it is wrong, and it's not a normal part of growing up.

We urge all people in all communities to join in our call to action to continue to raise awareness of bullying and promote a kind, respectful, and safe society. Our actions must speak as loudly as our words. United let us take a stand against bullying, help make Alberta bully free, and save lives not just during national Bullying Awareness Week but every day.

As a reminder of this, I am pleased to note that every MLA has been provided with a Stand Up and Stop Bullying wristband. I trust many are wearing those bracelets today.

Thank you, Mr. Speaker. Let us remember.

The Speaker: The hon. Member for Calgary-Mountain View.

Public Health Inquiry

Dr. Swann: Thank you, Mr. Speaker. Of all the responsibilities that fall to government, surely the most important is to defend, protect, and foster trust and good health among its citizens. This government has jeopardized the quality of Alberta's health care system with years of mismanagement, and in recent months there have surfaced credible and extremely troubling allegations of financial misconduct and systemic government intimidation of health care professionals who speak for their patients.

Health care professionals with impeccable credentials have stated publicly that there is a culture of fear and intimidation in public health care today, and it continues. The morale of Alberta's health care professionals is at an all-time low as bullying and payoffs erode the foundation of the health care system and of this government. For these reasons, the Official Opposition has repeatedly called for a public inquiry to unearth the truth surrounding these allegations so that we can fix and restore trust to our ailing public health care system.

For a brief moment it appeared as though the Premier recognized the urgency of holding a public inquiry under the Public Inquiries Act. During her race to become leader of the PC Party she joined our call for a public inquiry, and at the time we congratulated her for her courage. Unfortunately, she has waffled. She has refused to call a public inquiry under the Public Inquiries Act. Instead, she has decided to bring forward unprecedented, unnecessary, and costly new legislation granting more powers to the Health Quality Council. What's next? An education health quality act? It's merely a delaying tactic protecting the government from uncomfortable truths until after the next election. Is the current Public Inquiries Act inadequate? If it is, fix it. Don't create more bureaucracy and duplication.

The Premier has broken her most important promise to Albertans. So much for integrity and accountability to the public and the professionals of Alberta.

Thank you.

2:50 **Tabling Returns and Reports**

The Speaker: The hon. Member for Cypress-Medicine Hat and chair of the Legislative Offices Committee.

Mr. Mitzel: Thank you, Mr. Speaker. As chair of the Standing Committee on Legislative Offices and in accordance with section 19(5) of the Auditor General Act I would like to table five copies of the report by the Auditor General entitled Report of the Auditor General of Alberta, November 2011. Copies of this report are now being distributed to all members.

The Speaker: The hon. Member for Banff-Cochrane and chair of the Standing Committee on the Alberta Heritage Savings Trust Fund.

Ms Tarchuk: Thank you, Mr. Speaker. Pursuant to section 16(2) of the Alberta Heritage Savings Trust Fund Act and as chair of the Standing Committee on the Alberta Heritage Savings Trust Fund it is my pleasure to table the 2010-11 annual report on the fund.

Pursuant to section 15(2) of the Alberta Heritage Savings Trust Fund Act I am also tabling the 2011-12 first-quarter update on the fund. Copies of these two reports have previously been distributed to members.

Finally, pursuant to section 15(2) of the Alberta Heritage Savings Trust Fund Act I am pleased to table the 2011-12 second-quarter update on the fund, which was released yesterday. Copies will be distributed this afternoon.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. On behalf of the Leader of the Official Opposition I would like to table two documents that were referenced during the leader's questions today. One is copies of an FPinfomart article from the *Edmonton Journal*: Redford waves red flag at fellow Tories; Call for probe into queue-jumping allegations.

The second one was posted June 7, 2011 – I'm sorry; I don't know where – Allison Redford Calls for Public Inquiry. Both of these were referenced, so I'm tabling them on behalf of the leader.

Thank you very much.

The Speaker: The hon. Member for Edmonton-Mill Woods.

Mr. Benito: Thank you, Mr. Speaker. I would like to table five copies of 16 letters I have received from my constituents at St. Theresa's parish, who call upon our government of Alberta "to develop and then implement a comprehensive Child Poverty Reduction Plan that would reduce and ultimately eliminate child poverty in Alberta."

My second tabling is five copies of the third annual eagle awards of excellence for outstanding community members within the constituency of Edmonton-Mill Woods, that took place on Saturday, November 12, 2011.

Thank you, Mr. Speaker.

The Speaker: Hon. members, I have three tablings today. The first is pursuant to section 39(3) of the Legislative Assembly Act. I wish to table with the Assembly the appropriate copies of a number of orders that were passed by the Special Standing Committee on Members' Services at its November 16, 2011, meeting. Copies of all orders tabled today will be provided to members and will be incorporated into the consolidated Members' Services orders binders and made available: constituency services

amendment order 23, which came into force on November 16, 2011; members' allowances amendment order 21, which comes into force on April 1, 2012; and constituency services amendment order 24, which comes into force on April 1, 2012.

As well, I'm pleased to table copies of a brochure entitled Page Biographies, Legislative Assembly of Alberta, 27th Legislature, Fourth Session, Fall 2011. These basically give you a background on these young people who participate with us on a daily basis.

Pursuant to section 46(2) of the Conflicts of Interest Act the chair is pleased to table with the Assembly the annual report of the Ethics Commissioner. This report covers the period April 1, 2010, to March 31, 2011.

Tablings to the Clerk

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Mr. Lukaszuk, Minister of Education, school jurisdictions' audited financial statements for the year ended August 31, 2010, sections 1, 2, and 3; Speak Out, Alberta student engagement initiative year in review 2010-11.

On behalf of the hon. Mr. Olson, Minister of Justice and Attorney General, pursuant to the Legal Profession Act the Law Society of Alberta 2010 annual accountability report.

Privilege

Misleading the House

The Speaker: Hon. members, yesterday as we ended the Routine, an hon. member rose to present a case for privilege. I asked yesterday if there were additional members who wanted to participate. One member indicated yesterday that he would want to do so today. Standing Orders 15(1) and (2) talk about brief statements. I'll recognize additional participants if they wish.

The hon. Member for Calgary-Varsity.

Mr. Chase: Yes. Thank you, Mr. Speaker. At the heart of the point of privilege raised against the Member for Edmonton-Mill Creek, the former minister of health, is the ongoing claim by this government, which cannot be substantiated, that Albertans are supportive of a two-tier private-public health care system. This deceitful suggestion is no more true now than it was in 2003-2004, when I served as the Alberta chair of Friends of Medicare, a nonprofit, nonpartisan advocacy group for the preservation of public health care.

While the Member for Edmonton-Mill Creek is currently at the centre of this controversial whirlpool, the ripple effects touch and taint every current member of the Conservative caucus and many former members, most notably Ralph Klein, whose third way was considered unpalatable by the vast majority of Albertans. Likewise, a key factor in our last Premier's forced abdication from the throne was the mess he made along with his chosen deconstructor, the Member for Calgary-West, whose centralizing health board attempts continue to be a costly super failure.

Our most recently selected Premier has found herself caught within the whirlpool's grasp by attempting in vain to backstroke away from her . . .

The Speaker: Sir. Sir.

Mr. Chase: . . . campaign promise to call a judicial . . .

The Speaker: Sir. [interjection] Calgary-Varsity, please sit down. Three times I've tried to interrupt you. You weren't looking at me. You were reading your paper. What has this got to do with the

point of privilege so far? This is a point of privilege we're talking about, the most serious of all allegations that can be made against a member. It is not a time for theatrics or anything else. You come to the point of privilege, or I'm not going to allow you to participate any further.

Mr. Chase: Thank you. Mr. Speaker, the point of privilege is about the deception of this House putting forward the idea that Albertans support the privatization of health care as alluded to by the minister of health. That is what I am attempting to address. Under the point of privilege it has been suggested that . . .

The Speaker: Sorry. You may misunderstand. Sit down. This is about an individual. That's what this is about, not the government. This is about an individual, the most serious of all charges that can be brought in this Assembly, with dire penalties for all who participate. So get to the point of privilege of the member.

Mr. Chase: Thank you. The dream of Tommy Douglas, that was legislated into Canada's national reality by Liberal Prime Minister Lester B. Pearson, will continue to be cherished by Albertans. While today's point of privilege is primarily focused on the Member for Edmonton-Mill Creek, his Conservative caucus colleagues can no longer hide either in the shadows or, to conclude the whirlpool metaphor, the shallows.

The Speaker: Okay. I've given the opportunity.

Hon. Member for Edmonton-Mill Creek, tomorrow I will recognize you if you want to respond with respect to this input that we've received in this Assembly. If I'm able, I will deal with a resolution of this matter on Thursday afternoon after I've heard this and had a chance to review what is in the text.

Are there any additional members that want to participate on this before we close and give an opportunity for the Member for Edmonton-Mill Creek tomorrow?

Orders of the Day Government Motions Evening Sittings

26. Mr. Hancock moved:
Be it resolved that pursuant to Standing Order 4(1) beginning November 22, 2011, the Assembly shall meet on Monday, Tuesday, and Wednesday evenings for consideration of government business for the remainder of the 2011 fall sitting unless on motion by the Government House Leader made before 6 p.m., which may be made orally and without notice, the Assembly is adjourned to the following sitting day.

The Speaker: Hon. members, the motion as proposed by the hon. Government House Leader is not debatable, so I'll ask the question.

[Government Motion 26 carried]

The Speaker: The hon. Government House Leader.

3:00 Committee Membership Changes

25. Mr. Hancock moved:
Be it resolved that the following changes to the Standing Committee on Legislative Offices be approved: that Mr. Blackett replace Mr. Mitzel as chair, that Mr. Ouellette replace Mr. Mitzel.

[Government Motion 25 carried]

Transmittal of Estimates

The Speaker: The hon. Deputy Premier and President of Treasury Board and Enterprise.

Mr. Horner: Mr. Speaker, I have received a certain message from His Honour the Honourable the Lieutenant Governor, which I now transmit to you.

The Sergeant-at-Arms: Order!

The Speaker: The Lieutenant Governor transmits supplementary supply estimates of certain sums required for the service of the province for the fiscal year ending March 31, 2012, and recommends the same to the Legislative Assembly.

Please be seated.

Mr. Liepert: Mr. Speaker, when supplementary estimates are tabled, section 8 of the Government Accountability Act requires that a new or amended fiscal plan be tabled. Accordingly, I wish to table the 2011-12 second-quarter fiscal update, which serves as the amended fiscal plan. The 2011-12 second-quarter fiscal update has already been provided to all members and released publicly as required by the Government Accountability Act.

The Speaker: The hon. Deputy Premier and President of Treasury Board and Enterprise.

Mr. Horner: Thank you, Mr. Speaker. The quarterly fiscal update tabled by the Minister of Finance provides the framework for additional spending authority for the Legislative Assembly and for the government. I now wish to table the 2011-12 supplementary supply estimates. These will provide additional spending authority to two offices of the Legislature and nine departments of the government.

When passed, the estimates will authorize an approximate increase of \$2.4 million in expense and capital investment of the Legislative Assembly and approximate increases of \$864.9 million in expense, \$82 million in capital investment, and \$250,000 in nonbudgetary disbursements of the government. These estimates will also authorize transfers of approximately \$80.7 million of the previously approved spending authority from the Department of Treasury Board and Enterprise to five departments and an approximate transfer of \$58.4 million from expense to capital investment within the Department of Infrastructure.

Government Motions (continued)

23. Mr. Horner moved:
Be it resolved that the message from His Honour the Honourable the Lieutenant Governor, the 2011-12 supplementary supply estimates for the general revenue fund, and all matters connected therewith be referred to Committee of Supply.

The Speaker: Shall I call the question?

Hon. Members: Question.

[Government Motion 23 carried]

24. Mr. Horner moved:
Be it resolved that pursuant to Standing Order 61(2) the number of days that Committee of Supply will be called to consider the 2011-12 supplementary supply estimates for the general revenue fund shall be one day.

[Government Motion 24 carried]

Government Bills and Orders

Second Reading

Bill 24

Health Quality Council of Alberta Act

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

Mr. Horne: Thank you very much, Mr. Speaker. I am very pleased to rise and introduce second reading of Bill 24, the Health Quality Council of Alberta Act.

Mr. Speaker, two key commitments of our Premier are to reposition the Health Quality Council of Alberta in a way that its independence is clear and, secondly, to provide a new mechanism for public inquiries to effectively address health system matters. This bill delivers on both commitments.

I want to begin by recognizing the important role played by the council and how that is being maintained and fostered in this bill. Mr. Speaker, the core mandate of the Health Quality Council is focused on facilitating the continuous improvement of quality of health care services in our province. The council's specific goal is to promote and improve patient safety and health service quality on a province-wide basis. To do this, the council works co-operatively with health organizations to bring a patient focus to the health system. HQCA activities involve measuring and monitoring safety and quality of care factors, identifying and recommending effective health service practices, assisting with the evaluation of strategies to improve patient safety, and surveying Albertans about their experience and satisfaction with our health care system.

The ability of the council to network and maintain positive health system relationships will continue under this bill, Mr. Speaker. In addition, the council will continue to have matters regarding patient safety and health service quality referred to it for assessment by the Minister of Health and Wellness or Alberta Health Services.

The Health Quality Council of Alberta plays an important advisory role in this regard. The ability of the Minister of Alberta Health and Wellness and Alberta Health Services to refer matters to the council has enabled an independent and expert review of emerging issues in a timely fashion. Throughout the last decade, Mr. Speaker, we have seen many examples of this fine work. This work will continue to be undertaken by the Health Quality Council. It is important, and it is valued. It is a critical component of the health system, and I note that most provinces in Canada have similar organizations in place to facilitate health system service improvements. This bill will enable the Health Quality Council to continue to work within the health system on identifying and implementing improvements to the quality of health services in our province.

Mr. Speaker, the council is also authorized to establish a quality assurance committee, which operates in accordance with section 9 of the Alberta Evidence Act. Operating in a quality assurance committee creates an evidentiary privilege over the information that the committee receives. This means that the information cannot be used in other legal or administrative proceedings.

The work done by a quality assurance committee is important in encouraging continuous quality improvement in our health system. It fosters the sharing of information and ideas and aims to create an environment that seeks out and adopts the best health services practices available. The continuing work and effectiveness of the Health Quality Council in promoting patient safety and health system improvements will depend on its ability to conduct some of its work through its own quality assurance committee. This bill makes continued provision for this.

Mr. Speaker, I've talked about what is not changing with this bill, and I want to spend a few minutes now speaking about what is changing. The Health Quality Council is currently a corporation established by cabinet regulation under section 17 of the Regional Health Authorities Act. Its members are appointed by the Minister of Health and Wellness. While the Health Quality Council has always operated independently and at arm's length from the Minister of Health and Wellness, this bill will provide a greater separation between the council and the health ministry. It does this in several ways.

The Health Quality Council of Alberta will no longer be established by cabinet regulation under the Regional Health Authorities Act. Under Bill 24 the council is continued as a corporation. Appointments to the board will no longer be made by the health minister; appointments will be made by cabinet. As well, the Health Quality Council will be required to submit an annual report to the Speaker of this Legislative Assembly – to you, Mr. Speaker – on the business and activities of the council for the preceding fiscal year, including a financial statement.

The Health Quality Council will operate in whole or in part with public funds granted to it and must demonstrate proper stewardship over those funds and accountability for its activities, including appearances before the Public Accounts Committee. In this regard, Mr. Speaker, the bill contains provisions that require the directors of the corporation to make bylaws establishing a code of conduct and an investments policy, and there are limits on the ability of the council to provide indemnities or to borrow money. As well, the bill provides for the board of the Health Quality Council to appoint a chief executive officer, establish committees, and delegate responsibilities. These are matters common to corporations and are required for the efficient conduct of business of a council.

3:10

Mr. Speaker, for any member of this Assembly who is truly interested in a greater degree of openness, transparency, and accountability, the provisions I have just outlined will ensure that the Health Quality Council, under its new status as proposed by this bill, delivers that.

Mr. Speaker, a new health system inquiry authority is also provided for in this bill. While this authority is very similar and imports many provisions from the Public Inquiries Act, it has some special distinctions designed to make it more functional for the purpose of looking specifically into serious health system matters. An inquiry based on this bill, like one based on the Public Inquiries Act, is initiated by cabinet. Cabinet will be responsible for determining whether or not an inquiry is in the public interest, and if so, cabinet will determine the nature, scope, and timing of the inquiry.

As you know, Mr. Speaker, a public inquiry is a significant activity not to be taken lightly, requiring a large commitment of financial and human resources. It is a very powerful tool for getting to the bottom of a matter and must be used judiciously.

One of the distinctions from a more traditional public inquiry is that in this case, when a decision is made to hold a health system inquiry, cabinet will ask the Health Quality Council to appoint one or more individuals to the panel. Subject to the agreement of the courts the appointment may be a judge and may also include individuals with expertise in health system matters. The bill also manages potential conflicts that could arise from appointments made by the Health Quality Council of Alberta. Specifically, there is a requirement that if the Health Quality Council has reviewed a matter that becomes the subject of a health system inquiry, the

inquiry must be conducted by one or more individuals with no prior involvement in the matter.

Once appointed, the panel operates independently. The panel will have the same powers, privileges, and immunities as a commissioner has under the Public Inquiries Act. Mr. Speaker, this means that the panel will have the power to summon any persons as witnesses and compel them to give evidence, to require witnesses to produce any documents that may be required in order for there to be a full investigation of the matters that are the subject of the inquiry, and while witnesses will generally have the same privileges in relation to the disclosure of information and the production of documents that a witness has in a court, such as maintaining solicitor and client privilege, the panel will have the power to compel a witness to answer questions even in the case where under an act, regulation, order, or agreement that witness would be required to not disclose certain information.

This provision covers what is often referred to as nondisclosure agreements, where a physician and employer, for example, may have parted ways and have both agreed to a settlement that includes a clause whereby neither side can disclose information contained in that agreement. Mr. Speaker, under Bill 24 both sides can be asked about the contents of those settlement agreements as part of a health system inquiry.

As you can see, the powers vested in the panel are considerable and must be applied fairly. For example, it is important for the panel to have the ability to protect personal health information from unnecessary disclosure and to protect the private interests of a person who is not directly involved in the inquiry and who would be prejudiced by a public disclosure. Therefore, Mr. Speaker, explicit provision is made for the panel to hold a hearing or part of a hearing in camera – in other words, in private – on an application being made by a person.

In deciding whether or not to go in camera, the panel must take a number of matters into consideration. These are listed in section 19 of the bill and include such factors as whether the disclosure of a medical record of a patient is likely to result in harm to the patient or to the treatment or recovery of the patient. Mr. Speaker, I think you will agree that these are matters that Albertans take very seriously.

Another factor to consider is whether the disclosure of information that is subject to a nondisclosure clause in an agreement should be in camera because to hear it in public would be injurious to the interests of justice. The basis on which the panel can hear matters in camera is similar to the Fatality Inquiries Act.

The in camera provisions are broader than under the Public Inquiries Act. As well, where the Public Inquiries Act makes it mandatory for certain matters to be heard in private, the provisions in Bill 24 leave the decision to the discretion of the panel. Matters heard in camera cannot be published or otherwise disclosed with the exception that the panel may disclose these matters in its report if the panel is satisfied that the disclosure is essential to the completeness and integrity of the report and is in the public interest. It is important to note that the bill contains provisions that prevent the panel from making any findings of legal responsibility and that prevent findings from being used or received against a person in other legal proceedings. The report emanating from a health system inquiry will be reported not to the minister or to the cabinet; it will be reported to the Legislative Assembly through the Speaker as a result of provisions in this bill. If the Assembly is not sitting, Mr. Speaker, you are under these provisions required to make the report public.

Mr. Speaker, I've spoken about various provisions of the bill and what will not change and what will change with respect to the role of the Health Quality Council. Before I close, I'd like to take

a moment to highlight the three most important reasons I believe this bill should be supported by all members of the House. First of all, as I mentioned earlier, Albertans take the matter of the protection of personal health information extremely seriously. This bill makes explicit provisions for the protection of that information under the proceedings in a public inquiry.

Secondly – and I can't emphasize this enough – the provisions of the existing Public Inquiries Act, in the case where an inquiry is called, permit cabinet to appoint the members of the panel of inquiry. Under the provisions of this bill the Health Quality Council, not members of cabinet, will have power to appoint members of the panel. Contrary to what has been erroneously reported previously, the Health Quality Council will not conduct the public inquiry. They will appoint the members of the panel, who will conduct the inquiry in accordance with the provisions in the proposed legislation.

Mr. Speaker, in consideration of the consultation that we did in the preparation of the underlying concepts for this legislation, I am confident that we have struck the right balance with what we are proposing in Bill 24. We have maintained the important role the Health Quality Council currently has in assessing public satisfaction with the health system as well as assessing patient safety concerns. We also have proposed to add important inquiry powers that are customized to the health system to protect personal information to allow the council to use its expertise and knowledge in identifying individuals to be appointed to an inquiry panel, including a judge. In addition, the bill provides for the council to report independently to the Legislative Assembly on an annual basis.

Mr. Speaker, I am very confident this legislation will serve the interests of Albertans and that it directly addresses the concerns that have been raised in this House over the last year with respect to inquiries into health system matters.

At this time I would like to move second reading of the Health Quality Council of Alberta Act, and I would also move to adjourn debate at this time. Thank you.

[Motion to adjourn debate carried]

Bill 22

Justice and Court Statutes Amendment Act, 2011

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

Ms Woo-Paw: Well, thank you, Mr. Speaker. It is my pleasure to rise today to speak to Bill 22, the Justice and Court Statutes Amendment Act, 2011. This bill contains a variety of amendments and housekeeping changes to a number of statutes. These amendments are intended to improve the effectiveness, consistency, and clarity of our legislation. I'll begin with changes to a variety of justice statutes.

This legislation contains minor amendments to the Victims Restitution and Compensation Payment Act, the Wills and Succession Act, the Administration of Estates Act, the Family Law Act, the Family Law Statutes Amendment Act, 2010, the Fatality Inquiries Act, and the Witness Security Act. The majority of the amendments in these statutes are minor in nature such as fixing typographical errors.

However, I would like to highlight several more significant amendments. The amendments to the Victims Restitution and Compensation Payment Act, for example, will expand the application of the act and make it easier and more cost-effective for the civil forfeiture office to carry out its duties under the act. This act allows the government to seize profits from crime and property

used to commit crimes such as vehicles and weapons. This action is called civil forfeiture because the application is brought in the civil courts. Currently the civil forfeiture office can seize goods from illegal acts that are contraventions of the Criminal Code and the Controlled Drugs and Substances Act. For the acts to apply to illegal acts, to the offences under provincial statutes, these statutes must be specified by regulation. Work on this regulation is currently under way.

3:20

The amendments proposed to the Victims Restitution and Compensation Payment Act will allow the act to apply to illegal acts that take place before or after the Alberta statutes specified by regulation are in force. The amendments will also permit additional persons other than a civil enforcement agency to carry out functions related to seized property. For example, the civil forfeiture office could save money by using towing or storage services.

The Wills and Succession Act updates and consolidates five pieces of legislation related to the transfer of property on death. Over the past year Justice lawyers and private practitioners have provided feedback on wording in the Wills and Succession Act that could improve the clarity and consistency of the act. These amendments respond to that feedback.

An example is in the survivorship provision. This provision governs who inherits property if two or more individuals die in circumstances where it is uncertain which of them survived the other. The law would be that people who died in these circumstances will not inherit property from each other unless their will says otherwise. As well, any property the deceased hold jointly is to be deemed to be a tenancy in common although the act does not specify it must be equal shares. Lawyers told us the Wills and Succession Act was not as clear as it could be on this point, so we have rewritten this section.

Other amendments remove redundant words, clarify transitional periods, and replace words with ones that are properly defined.

Lastly, the amendments to the Administration of Estates Act reflect that certain responsibilities, mainly aimed at avoiding duplication of grants, have been transferred from the Public Trustee's office to the clerk of the court.

Next I will discuss amendments to court statutes. The Court of Queen's Bench Act will be amended to give those appointed to the judicial office of master the option of retiring and sitting on a half-time basis. This will provide experienced masters with an option for continued service when they might otherwise retire. A provision will be added restricting masters from engaging in other employment while in office. This will reduce conflict-of-interest situations for masters.

The Justice of the Peace Act will be amended to combine the duties and jurisdictions of sitting and presiding justices of the peace into a single office. This will create more flexibility in the assignment of duties to justices of the peace. Consequential amendments will also be made to other statutes that refer to sitting and presiding justices of the peace. Provisions will be added to permit justices of the peace to be appointed to a further one-year term on an ad hoc basis after completion of the initial 10-year term and to permit part-time JPs to apply for full-time positions when they become available. This will allow experienced justices of the peace to continue serving in different capacities and will enhance the efficiency and effective functioning of the justice of the peace program.

Additionally, amendments will be made to restrict full-time justices of the peace from engaging in the practice of law and

limiting the type of law that part-time justices of the peace can practise while in office. This will ensure that justices of the peace are free from an appearance of conflict of interest or bias.

The Provincial Court Act will be amended to remove the birthday commencement date provision for part-time judicial service. This will permit a part-time judicial appointment to be made effective on any day of the year, giving the Provincial Court greater flexibility in scheduling when a judge elects to sit part-time. The act will also be amended to clarify the options available for the Court of Queen's Bench when hearing an appeal from the civil division of the Provincial Court. Specifically, the amendments will clarify that the Court of Queen's Bench is able to make a decision on the transcripts of evidence given in Provincial Court or hear the matter anew but cannot send the matter back to Provincial Court for a new trial unless there is no transcript of the evidence given in Provincial Court.

Amendments are proposed to the Proceedings Against the Crown Act which will permit commencement of proceedings against the provincial Crown in Provincial Court, civil. I refer to small claims here within the court's monetary and substantive jurisdiction. Currently claims against the provincial Crown involving \$25,000 or less must be commenced in the Court of Queen's Bench. Allowing these claims to be brought in small claims court, where the procedures are less complicated and litigants do not require the assistance of lawyers, will improve access to justice for Albertans.

The Civil Enforcement Act will also be amended to improve civil enforcement procedures and to clarify provisions. It is an offence for a person to purport to be a sheriff or display the word "sheriff" on uniforms, badges, or vehicles. Amendments will clarify that peace officers and clerks who use the title "sheriff" under the authority of other statutes are not guilty of an offence.

Amendments will be made to reduce the number of days seized property can be kept in storage before a civil enforcement agency can notify creditors that it intends to release the seized property. Amendments will also reduce the number of days of notice that must be given to creditors before seized property is released. This will help avoid unnecessary storage costs.

The length of time a garnishee summons remains in effect will be increased from one year to two years, making it consistent with the writ of enforcement and reducing renewal costs. The requirement that a creditor obtain a court order to seize property that's already under seizure by another creditor will be eliminated. This will streamline procedures and help ensure creditors do not lose right of priorities with respect to seized property.

Finally, as part of the court statutes amendments some minor consequential amendments will be made to the Builders' Lien Act. These amendments are being made to make the procedures and terminology in the act consistent with the procedures and terminology in the *Alberta Rules of Court*. The amendments substitute "court clerk" for "clerk of the court" and eliminate the requirement for the court clerk to affix the court seal on certificates.

Legal Profession Act amendments. This bill also contains two amendments to the Legal Profession Act. The first amendment deals with the process under which lawyers are disciplined for misconduct. The Law Society of Alberta is a self-governing body for Alberta's lawyers with a mandate to regulate the legal profession in the public interest. A lawyer's membership, standing, competence, and conduct are subject to the regulations of the Law Society under the Legal Profession Act. The governing body of the Law Society, the Benchers, have established a conduct process task force to examine this area. The task force determined that the current process is fair and transparent to lawyers, com-

plainants, and the public but identified opportunities to enhance efficiency and timeliness.

Proposed changes include a process to deal with minor infractions that do not engage the integrity of a lawyer, a process that will allow for alternative measures. A three-member hearing committee will not be required for every hearing. An expedited process would be available for an immediate guilty plea by a lawyer. A process would be available, when appropriate, for the appointment of non-Benchers to sit on hearing committees and the requirement that all conduct appeals go to the Benchers first, with an ultimate appeal to the Court of Appeal.

The second amendment supports mobility of lawyers between the Law Society of Alberta and the Barreau du Québec. The Law Societies of all provinces signed the Quebec mobility agreement in March 2010. Reciprocity with Quebec requires the ability to put conditions on the call to the Alberta bar by a Quebec lawyer. The amendments in this bill support mobility through this agreement. Proposed changes include a requirement that a lawyer be a member in good standing of his or her home jurisdiction and the ability to restrict a lawyer's practice areas in Alberta.

As hon. members can see, there are a great number of amendments included in Bill 22. I urge all hon. members to support these changes as they will improve the effectiveness, consistency, and clarity of our legislation.

With that, Mr. Speaker, I also move to adjourn debate on Bill 22. Thank you.

[Motion to adjourn debate carried]

3:30

Bill 26

Traffic Safety Amendment Act, 2011

The Speaker: The hon. Minister of Transportation.

Mr. Danyluk: Thank you very much, Mr. Speaker. Indeed, it is a pleasure to stand before you today. On November 21 the government introduced Bill 26, the Traffic Safety Amendment Act, 2011, which proposes strengthening Alberta's approach to impaired driving.

Drinking and driving imposes numerous costs and enormous costs on our society. The true cost of drinking and driving is the victims. From 2006 to 2010, Mr. Speaker, 569 people were killed and 8,350 people were injured in alcohol-related collisions. In 2010 alone 96 people were killed and 1,384 were injured. Despite increased awareness and the serious toll on society, Albertans continue to drink and drive.

Alberta's approach builds on the existing action that Alberta has in place. We already have a 24-hour suspension in the .05 to .08 range, a successful ignition interlock program, and programs designed to change behaviours. This builds on what already is there.

For example, we continue to use a blood-alcohol level of .05 to .08 as a guideline for a warn reading. That doesn't change. What we're doing is increasing the consequences on the penalty end. Another thing that doesn't change is that we are not implementing fines. All costs are associated with things like getting your licence or your vehicle back or taking a course, for example. Mr. Speaker, these costs are not borne by the taxpayer. They are paid by the offender.

What changes the most in Bill 26 is the emphasis on repeat offenders. We continue to be encouraged by the support from our traffic safety partners, all of whom want safer roads, especially as Alberta continues to grow. There is a direct consequence and prevention such as remedial courses for repeat offenders, licence suspensions, vehicle seizures, and ignition interlock devices. In

other words, this approach favours driver education, enforcement, monitoring, and addictions assessment, all designed to help change behaviours, and it introduces immediate consequences.

An appeal process will be available through the independent tribunal. The Alberta Transportation Safety Board, which consists of community members with varying backgrounds, will hear many of these appeals. These board members, who are appointed by an order in council, will hear appeals of a second and any subsequent roadside licence suspensions and vehicle seizures, licence suspensions which are given to new drivers, and licence suspensions which are given when a criminal charge has been laid. That means that if you need a vehicle for your job or you need to appeal a vehicle seizure or if you lend your vehicle to a friend or a family member and your vehicle is seized, you will have the opportunity to appeal that seizure.

Mr. Speaker, it's very important to reinforce that this is not about stopping people from enjoying social activities. This is about separating drinking and driving. We want motorists to plan ahead and make decisions that they will not regret. Driving is a privilege, and we all have the responsibility to practise safe driving. We all use Alberta roads, and we want to know that the person in the car next to us is alert, able to respond rapidly, and paying full attention to the road. Introducing a more targeted impaired driving law is another step towards making our roads safer for all of us.

Bill 26, the Traffic Safety Amendment Act, 2011, focuses on improving safety on our roads by encouraging greater personal responsibility and behaviours that save lives. I know that there are different views on this sensitive issue, and I look forward to the upcoming debate.

Thank you, Mr. Speaker. I'd like to adjourn debate.

[Motion to adjourn debate carried]

Bill 23

Land Assembly Project Area Amendment Act, 2011

The Speaker: The hon. Minister of Infrastructure.

Mr. Johnson: Thank you, Mr. Speaker. I'm privileged to rise and move second reading of Bill 23, the Land Assembly Project Area Amendment Act, 2011.

Central to Bill 23 is the clarity, fair compensation, and full access to the courts that these amendments bring to the act and the power that it brings to landowners. With these amendments property owners will have more power if their land is affected by a potential LAPAA project. Landowners can keep their land and continue farming it, they can trigger a sale at any time, they can trigger the expropriation process, they can sell to a third party or leave it to their family members in their will until the land is required, and they can have enhanced access to the courts, which is what Albertans have been telling us that they wanted. Bill 23 also clarifies the type of major transportation or water projects allowed by the LAPAA legislation, and it removes some of the penalties that Alberta landowners were telling us they saw as heavy-handed.

Mr. Speaker, at this time I'd ask you to allow me to adjourn debate on Bill 23.

[Motion to adjourn debate carried]

Bill 25

Child and Youth Advocate Act

The Speaker: The hon. Minister of Human Services.

Mr. Hancock: Thank you, Mr. Speaker. I am pleased this afternoon to move second reading of Bill 25, the Child and Youth Advocate Act.

This piece of legislation will expand the mandate of the Child and Youth Advocate and, in keeping with our Premier's commitment, will change the reporting structure so that the advocate becomes an officer of the Legislature. Alberta was the first province to have a child advocate and has had someone in that position since 1989. Many people in Alberta are unaware of the important role and function of the advocate to ensure that the rights, interests, and viewpoints of children and youth in the child intervention system are heard. Some may question why there's a need for an advocate or why an independent advocate is necessary. Understanding the role of the advocate in individual and systemic advocacy is therefore an important part of understanding this legislation.

If we think about it, the large majority of children and youth in Alberta are fortunate to have parents, family members, or other significant adults in their life to speak up for them, whether it be in school, on a sports team, or accessing health services. Parents and families are primarily responsible for protecting their children and their children's rights, and we see great examples every day of parents who will do everything they can to ensure that their child receives what they need for their growth and development and has the opportunity to participate in and contribute to their community.

3:40

Right now for many children in the child intervention system the advocate may step in when their families or other significant people in their life are unable to advocate on their behalf. These are children and youth who are receiving child intervention services because of abuse or violence in the home or whose circumstances make it impossible for them to live at home. It can be difficult, lonely, and scary to be a child in care, especially when decisions are being made about where they live, go to school, or whether they can have relationships with family members.

As much as possible caseworkers ensure that children and youth are involved in decision-making that affects their lives, but sometimes children and youth in care want to have someone in their corner, someone whose only role is to help them voice their opinions. The advocate's focus on individual advocacy is a strength of this position, that was highlighted in the 2009 child and youth advocacy review. Last year alone the advocate's office provided advocacy services to more than 3,200 children and youth. Through this work the advocate's office is in a unique position to identify systemic issues within the child intervention system.

Within the current reporting structure in which the advocate reports to the Minister of Human Services, the advocate regularly provides feedback and reports to the minister. This includes identifying systemic issues and making recommendations for developing policy or processes to address these concerns. With this legislation the advocate's reports and recommendations and advice will not go through the ministry but will go directly to the Legislature, providing an open and transparent process and involving Albertans.

The advocate will now have the ability to make recommendations to the Legislature and to the people of Alberta as a whole through the Legislature about the services it provides to children and youth in the child intervention and the youth criminal justice systems. The advocate's reports from investigations into serious injuries and deaths will also be made public. Albertans can then be confident that the advocate is doing his job in identifying concerns

in the child intervention and youth criminal justice systems, beholden to no one but the children.

This new act will take the individual and systemic advocacy functions of the advocate and expand them to include children and youth in open and closed custody in the youth justice system. This will help to ensure that children and youth served in these systems will have access to advocacy supports so that they, too, will have someone in their corner. Because many children and youth are involved in both systems, this expanded mandate will help co-ordinate services and supports for them. The focus will be on the most vulnerable children in our province who, as I said earlier, may not have parents or other adults involved in their lives to be on their side, to advocate for them.

A key part of the legislation provides the advocate with authority to investigate critical incidents involving children and youth in the child intervention and youth criminal justice systems. Right now when a child in care is seriously injured or dies, the ministry conducts internal reviews to identify where enhancements can be made. With this act there will now be two additional mechanisms by which incidents can be investigated: by the advocate and by the council for quality assurance. The purposes of these serious review processes are not to duplicate or interfere with any police investigations or court proceedings but to identify where improvements can be made in a timely manner, identify how we can do a better job for vulnerable children.

The advocate will have a significant role as both a member of the council for quality assurance and in his capacity and authority to investigate serious incidents involving children and youth served by his office. In carrying out these investigations from a systemic perspective, the advocate will have the powers of a commissioner under the Public Inquiries Act, meaning he can compel information to assist his investigation.

The council for quality assurance will also review serious incidents and may appoint an external panel to conduct more in-depth and expert reviews of a case. The council will also make recommendations on leading practices and areas for improvement. This function of the council and related powers is one of the consequential amendments to the Child, Youth and Family Enhancement Act outlined in this new legislation.

Some additional consequential amendments to both the enhancement act and the Freedom of Information and Protection of Privacy Act will help with information sharing between service providers when planning and providing services in the best interests of children and youth. One of the things that we found, Mr. Speaker, is that it's absolutely essential that all of the people, all of the caregivers that are involved in a child's life, whether they're involved in the school system, the health system, the child protection system, wherever they are, they need to be collaborative and share the information so that they can act in the best interests of the child. While that's currently allowed, often the information doesn't get shared because people are concerned about whether it is allowed. We're making it clear. It is allowed. It is expected.

The publication ban provisions of the enhancement act, which are designed to protect the privacy of children in the child intervention system, will be clarified and simplified, thereby increasing the effectiveness of the provisions and promoting public support of and adherence to the publication ban.

Again, there are often situations where there is a public interest in an incident, and our only answer is that we cannot provide the information because of the privacy issue. This will clarify what information can be provided, what information can't be provided, and the mechanism for interested parties to go to court to ask for further information to be released. The court can then make a

thorough examination of whose interests need to be protected and whether or not the information can be released.

This past spring the Protection Against Family Violence Act was amended to add offence and penalty provisions for breaching protection orders. As we moved toward implementation on November 1, we received new information from our stakeholders, in particular the police, that we felt was important to address. The amendment with this new legislation adds the authority for police to arrest without a warrant based on reasonable grounds that a protection order has been breached; again, important for the protection of children. Family violence affects children, and it's absolutely necessary that we have all the tools in place so that the protection orders provided for under the act and now the penalty provisions for the breach of those protection orders can be enforced with respect to the ability of police to arrest someone that has breached a protection order.

Obviously, under the act now they can arrest somebody at the time of the incident if they're there, or they can go and get a warrant, which provides for a gap in time, under which there is a potential exposure to risk. We can't afford that potential exposure to risk. We can't afford it for the victims of the violence or the children if they're witnesses to the victim of violence or victims themselves. Therefore, allowing police the opportunity to arrest under reasonable probable grounds – in other words, to follow the perpetrator away from the scene and arrest them later – is an important amendment, and it fits within the mandate of what we're talking about here in terms of child protection.

All of these changes under the Child and Youth Advocate Act will increase transparency and public confidence in the child intervention system and the youth criminal justice system and provide greater protection for the children who are most vulnerable, those children at risk.

I ask for support for Bill 25 from all members of the Assembly to help enhance the outcomes and services for children and youth being served by these systems and help ensure that those children have every opportunity to maximize their potential to grow up to be full citizens of this province, contributing to their communities like we wish for our own children.

I would also move that debate be now adjourned.

[Motion to adjourn debate carried]

Bill 21 Election Amendment Act, 2011

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

Mr. Olson: Thank you, Mr. Speaker. It's my pleasure to rise today to move second reading of Bill 21, the Election Amendment Act, 2011. This act will amend the Election Act to provide for a fixed election time period. Currently the Premier is able to choose the date of the general election, and the Premier can request that the Lieutenant Governor dissolve the Legislature and pass an order authorizing the issuance of a writ of election.

A drawback of this approach is the perception that the chosen election date is purely political. This is not the perception we want the public to have. We want to inspire an even greater confidence in our electoral system, we want Albertans to trust in the integrity and fairness of the system, and we want them to get out and vote and know that their vote counts. Better yet, we want them to get involved as candidates and volunteers. That's the primary reason why we want to create some certainty in election times.

There are a variety of other reasons for doing so as well. First, Elections Alberta or the office of the Chief Electoral Officer will

be able to administer elections in a more timely and cost-efficient manner. They will be able to secure advertising buys, recruit additional staff, and prearrange the acquisition and shipment of equipment and supplies. Knowing the approximate date in advance allows for cost savings by eliminating last-minute requests that often occur when trying to secure services. Elections planning such as preparing an up-to-date voters list through earlier enumeration, hiring and training of staff, and securing polling locations would be made simpler and more efficient.

A fixed election period also allows for more timely publication of election material for the benefit of the public and political participants. There are also many boards, agencies, and organizations that rely on the timing of certain decisions of government.

To put it simply, speculation as to when an election will be held results in uncertainty. Fixed election periods would allow the government and the public service to work within clearly established time frames. We believe that this will allow for improved governance.

3:50

Through Bill 21 two amendments to the Election Act are proposed. The first amendment allows for elections to be held every four years. This amendment would create a fixed three-month period, or window, in which a general election will be held every four years. Starting in 2012 a general election would be held between March 1, 2012, and May 31, 2012. Afterwards general elections would be held in the same three-month period, beginning on March 1 and ending on May 31, in the fourth calendar year following polling day in the most recent general election.

This made-in-Alberta approach does differ from other jurisdictions. All federal and provincial jurisdictions that have fixed elections have a specific date. For example, an election could be held on the third Monday of October.

Using a three-month window allows us to set the election date so that it does not conflict with days of cultural or religious significance, other elections, or other unforeseen circumstances. For example, religious holidays such as Easter and Passover fall within this time frame, or the province may find itself hosting a major sporting or cultural event or festival during this time.

Mr. Speaker, Albertans are a diverse and busy people. We understand the competing pressures in today's fast-paced society. We want to ensure that Albertans can participate in a provincial election, so we've tried to minimize as best we can conflicts in these busy schedules. We understand that in the fall children are back to school, new routines are being established, and harvesting of crops is under way. We are hopeful that this spring window, rather than a specific date, will allow for reasonable, limited flexibility in the setting of the election date and greater participation from Albertans.

The second amendment clarifies that the Lieutenant Governor's constitutional power to dissolve the Legislature remains intact. Removing this power from the Lieutenant Governor would, we believe, be unconstitutional. For that reason all the federal and provincial jurisdictions that have fixed election dates have a comparable provision. The political consequences of asking the Lieutenant Governor to dissolve the Legislature outside of the fixed period would discourage this from happening except when there is obvious justification for doing so, such as if there were a loss of confidence.

Some may ask: what happens if an election is called early because of the dissolution of the Legislature or on a vote of nonconfidence? The provision is drafted so that the four-year period is reset. In other words, the next election would be held in

the same three-month period, March 1 to May 31, in the fourth calendar year following polling day in the most recent general election.

The changes in Bill 21 will lead to a greater public confidence in our electoral system. They provide transparency and predictability. By knowing when an election will be held, Albertans will be able to participate more easily and effectively, whether as voters, volunteers, or candidates.

Mr. Speaker, I ask that all members support this amendment to this bill.

At this time I move second reading and ask that we adjourn debate.

[Motion to adjourn debate carried]

Bill 24

Health Quality Council of Alberta Act

[Adjourned debate November 22: Mr. Horne]

The Speaker: The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Mr. Speaker. It's a great honour to stand and speak to this important bill for Albertans, Bill 24, Health Quality Council of Alberta Act. I must say it's created a lot of energy and a lot of mixed response everywhere that I've discussed this, not least in the public and among the professionals. I guess the big question about Bill 24 is why we need it beyond the obvious need to have the Health Quality Council report independently to the Legislature, something we've been championing and pushing for years. We cannot do anything but support that aspect of the bill. Unfortunately, the rest of the bill is severely flawed.

Let me begin by saying that the purpose of the Public Inquiries Act is to set out a process to conduct an official review of important public events or issues, to establish the facts and causes of the events or issues, and make recommendations to the government for improvement. It governs the review of something in the past.

[The Deputy Speaker in the chair]

The big question, then, since we've had a Public Inquiries Act here for decades is: what is the need for a separate public inquiry act for health? Has our act failed us? Is there a need in other areas besides health where there is failure of the Public Inquiries Act as it's constituted? Is mismanagement in health uniquely requiring of its own public inquiry law? To suggest that the Public Inquiries Act is inadequate to the task of investigating physician intimidation and financial misconduct is to condemn decades of public inquiries or to suggest that these issues in 2011 are somehow unique to health care and it requires its own special public inquiry act. This government is running as fast as it can away from a fully independent public inquiry before the next election. Bill 24 duplicates the powers of the Public Inquiries Act. It's costly. It's confusing for public and professionals.

Other questions arise. Should this new body investigate occupational injuries? What about mismanagement associated with cultural or mental challenges? What about poor nutrition associated with management in our supports for independence? Do we need a separate public inquiry power for mismanagement in infrastructure and environment? Clearly, we move to the ridiculous. Government's role is to restore trust and to protect the public interest. This is not taking us down that road.

What would be the impact on the regular work of the Health Quality Council of having this extra power? The Health Quality

Council is to evaluate and define quality health care and recommend measures to improve it without pointing to responsibility or blame. When individuals being interviewed or reporting to the quality council now are under the understanding that the Health Quality Council has the power to go on to investigate as part of a public inquiry, how will that affect the perceptions of health professionals who come before the Health Quality Council? What is the impact of that on their freedom, their legal rights, their ability to speak freely and openly about what needs to be fixed?

Perception is important. This minister argues for greater confidentiality of health information, another area that he feels needs special protection. Is there something more confidential here than other personal information? Can we not trust officials in the regular public inquiry around private versus public interest making that assessment? Is there reason to doubt the capacity of the usual public inquiry to assess an act on the balance of private versus public interest?

An Hon. Member: They don't have the ability.

Dr. Swann: Yes, they do. My understanding is that they do.

Nondisclosure agreements, another area where this minister says we need special powers to open them up. This exists currently under the Public Inquiries Act, as I understand it, as I've been told by legal minds in the province.

Another argument for the uniqueness of health information and health investigation is the choice of the panel members on the public inquiry, not the usual cabinet but the Health Quality Council. Does this justify creating a whole new act, just to empower another body to select the panel members for this public inquiry?

Indeed, by giving this power to the Health Quality Council in the midst of their own investigation, it raises serious questions of conflict. This body has already been investigating questions of intimidation and financial misconduct. Are we now going to say that they are going to choose the ones that are going to make the decisions in a public inquiry about what needs to be explored, what needs to be brought forward, who is going to be the best at this? Clearly, there is a conflict there. Do we really want an independent panel, or do we want something that is being influenced already from within the Department of Health and Wellness? Serious questions that I think we need to ask. Real independence would come from an independent body. Isn't that what we say we want? Well, the Health Quality Council is no longer independent. Surely, that's plain and simple to everyone who sees it.

4:00

Well, having made these arguments, I don't doubt that there is a reasonable chance that this bill will pass. If passed, it should be eminently clear that this new act should not apply to issues they have already been addressing as a Health Quality Council. Either the decision on the panel members has to be taken out of the Health Quality Council, or indeed they have to allow the regular Public Inquiries Act to investigate this set of allegations and leave the Health Quality Council to investigate future concerns. We cannot muddy the waters by having the same Health Quality Council that has been involved in investigating these issues then go on and influence the makeup of the panel that will do the new public inquiry. Surely that's evident.

Mr. Speaker, the questions that arise really beg serious answers. Quality assessment is an important role, and a continuous improvement is essential in our health care system. We must restore confidence and quality in our publicly funded health care

system, but there is no need for extra powers of public inquiry. Why is the Premier delaying? It's clear: political advantage and influence from within her caucus. The former health minister has already stated very obviously that he will not support this, and the Premier is at risk of serious splits in her caucus over such a decision. Anything to delay this inquiry.

Will the decisions be impartial? One raises serious questions about that given the background that I've indicated. Neither the government nor the Health Quality Council is seen as independent of this decision. We must as quickly as possible call a public inquiry under the Public Inquiries Act, lay that issue to rest, then go on, if it's necessary, to allow the Health Quality Council to do its work on whatever future issues arise.

There are ways to make the independence of panels as distant as possible from government. I say that if there are changes to be made in the Public Inquiries Act, why do you not fix it? What is it about 2011 and health information that allows you to justify the expense, the duplication, and the confusion that will arise out of this ill-advised and unacceptable act, which we on the opposite side will not support. Unfortunately, by lumping it together with independent reporting of the Health Quality Council, the waters are muddled.

The lack of support will be confusing, but we will be very clear with the public that this government is not interested in transparency. They fear an open and objective public inquiry, and they are doing anything possible to maintain power and control and the obscurity of the issues around health care mismanagement since the totally misguided blowing up of our health system in 2008. They are running scared, and it's very clear that this is not going to serve the public interest but only their political interests. [interjections] The heckling from the Finance minister is clearly intended to discourage all thoughtful individuals around this misguided and wasteful bill that is purely, purely political.

Thank you for the opportunity to speak, Mr. Speaker. I'll step down and let others rail against this misguided bill. Thank you.

The Deputy Speaker: Hon. Member for Calgary-Fish Creek, do you want to join the debate?

Mrs. Forsyth: I do. Thank you, Mr. Speaker. It's somewhat bittersweet for me to speak to Bill 24, the Health Quality Council of Alberta Act. On the one hand, it's great to see the Health Quality Council of Alberta granted more independence and power to continue some of the great work that they've done for patient safety and, for that matter, patient care. But, quite frankly, the reason for expanding their powers is wrong in so many ways. It's a bandage solution to a much bigger problem. It's political interference, the rot in our health care system, a broken health care system. Fortunately for us, a wonderful group of health care professionals – our doctors, nurses, LPNs, NAs: all of those people are keeping the glue to the system and keeping it fixed.

What we have here, quite frankly, is a cop-out. It's a broken promise and more of the same from the Premier, who promised change, to do things differently. Mr. Speaker, Albertans are not fooled. Albertans are not fooled because they know what they heard with their own ears. Six months ago Dr. Duckett made a serious claim. He claimed that connected insiders were getting preferential treatment in our health care system, a health system that all Albertans value for its fairness and for its equality. Albertans thought that when they got sick and needed emergency care, it wouldn't matter if they had a politician's business card. They just knew that they wanted to get there. Not only were there accusations of people jumping the lines, but they had an office and a phone number to contact just to make sure it happened.

I, quite frankly, like Albertans, was somewhat shocked and maybe not so much surprised. I couldn't believe what I was hearing. You know what, Mr. Speaker? So was the current Premier. She said, and I'm going to quote: my call for an inquiry is about finding out the truth and putting a stop to practices that go against my personal and my political values. Well, we're still waiting for the truth. We're still waiting for the Premier to call an inquiry to get to the bottom of these shocking claims.

What's not shocking to me is that the Premier now has no sense of urgency to find out the truth about rotten practices in the health care system. Her hunger for the truth has suddenly disappeared. She doesn't seem to have an appetite to do what's necessary. Albertans are scratching their heads. They're saying to themselves: what has happened? Where is this person that promised changes, promised to do things differently and to do them quite quickly? A lot of Albertans voted for the Premier when she promised an inquiry. It set her, quite frankly, apart from all of the other candidates. It was a bold step, earning the praise of many Albertans and the wrath, quite frankly, of the previous Premier. It was the decision that many made for voting for her out of respect, but now that respect has faded. It's in the past but not forgotten.

I've talked about the reaction of the average Albertan. Let's talk about the views of our hard-working front-line health care professionals. I'm not just talking about the doctors but also nurses and other health care specialists that work day in and day out to make sure Albertans have a great health care system. No one is happy with the way the government is managing the health care system, not suffering patients waiting months or years for treatments and certainly not the staff. This government has created a group of people, political refugees, now living and practising medicine. It's even more tragic because they are world-class, respected experts.

Mr. Speaker, I'm constantly on the phone with doctors, day and night, hearing their heartbreaking stories as they try to help their patients and make sure that they get the best care possible. These same doctors and these same health care professionals tell me over and over again about the need for a public inquiry: "We need to get to the bottom of this. I need the protection of a judge so people can know what is really happening in the health care system."

4:10

The government says that the Health Quality Council of Alberta Act is capable of handling the investigation of doctor intimidation. The council does have significant expertise and knowledge of the health care system, and I would agree with that. But if it was legal trouble, I have to tell you that I wouldn't call my doctor; I'd be calling my lawyer. If I had a bad cold, which I do right now, or a sore throat, I'd see my doctor. I wouldn't go to a lawyer.

The scandal is bigger than the crisis in the emergency room. This is about political interference and the intimidation of health care staff across this province. I have to point out the reason that the Health Quality Council of Alberta Act exists, its mandate. I've read its mandate, and over and over again I've read the same phrases: patient safety and health service quality. The council is an expert at matters of patient safety and health delivery. In the past they've quite frankly studied the impact of the closing of the Edmonton City Centre Airport, the health system's handling of the H1N1 pandemic in 2009, and most often satisfaction surveys of patients. They are not cut out for examining the political string pulling that happens in cabinet or government in general.

This is not a slight against the Health Quality Council. They're doctors, and they're health researchers. This is a bait and switch going on here. The government claims that the council is experienced and knowledgeable and should conduct an investiga-

tion, but the proposed legislation is clear that board members, agents, employees, or contractors of the Health Quality Council can't participate in the inquiry. What's the point of appointing the Health Quality Council when their expertise and their knowledge cannot be used? You know, Mr. Speaker, it's mind boggling.

An issue I have with the legislation in particular is that judges, legal experts are not mandatory in conducting a public inquiry. This blows my mind. The council is allowed to include a judge, but they don't have to. That's like saying it's nice to have a doctor at your surgery, but – guess what? – he doesn't have to be there. We should have the experts doing what they're trained for. If an inquiry is going to call testimony and evidence, they should have the expertise and the experience doing so. That's where the world experts come from. Doctors and health researchers don't have experience conducting public inquiries. It should be mandatory to have a judge not only on the panel but as the leader.

The Premier has insisted she won't call an inquiry because the council is currently conducting an investigation. She says she'll wait until the spring, when the final report is in, and go from there. Quite frankly, that's unbelievable. The current investigation is looking at cancer and emergency room care as well as the intimidation of doctors. The whole reason the Premier called for an inquiry was because of the alleged queue-jumping. The Health Quality Council is not looking at queue-jumping. She will not even consider an inquiry into queue-jumping until election time in 2012. That brings us to – I'm not sure if the election is going to be in March or April or May, but she said today in question period to be ready. What we have here is an abandonment of a promise by the Premier. We now have more of the same from the government under the new leadership. They bury something until after the election to avoid accountability, something that this Premier has campaigned on.

The Premier should call a full, public, judicial inquiry into queue-jumping and doctor intimidation, just like she promised in June. If she doesn't call an inquiry, she quite frankly is breaking another promise to Albertans, and we won't get to the truth, faith will not be restored, and Albertans won't have the answers they need and deserve.

The Deputy Speaker: We have Standing Order 29(2)(a) for five minutes of comments or questions. Any hon. member wishing to take 29(2)(a)?

If not, then the hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much, Mr. Speaker. Before proceeding to detailed debate on Bill 24, I want to put on the record what I consider to be a continuation of dirty parliamentary tricks. Premier Klein was known for closure. He called closure more frequently within his limited reign than all previous Premiers and parliamentarians had experienced in the history of Alberta. His successor's trick, the representative for Fort Saskatchewan-Vegreville, was time allocation: limit the amount of debate; therefore, you force the opposition into a position where there is no time left in which to debate.

Now, our most recently elected Premier talked about transparency and accountability. She talked about improving communications with Albertans, but within this House, Mr. Speaker, the failure to communicate is of great concern. For example – and I don't know to what extent this will matter to Albertans, but to anybody concerned with the democratic process, hopefully, it will matter – the previous arrangement between the House leaders has come to naught because the opposition House leaders would not agree to time limits on debates. We have no idea what the agenda is, what bills are going to be discussed, when they're going to be discussed.

The Deputy Speaker: We are debating the bill. Please stay on the subject of the bill.

Mr. Hancock: Point of order.

The Deputy Speaker: The hon. Government House Leader.

Point of Order

Allegations against a Member

Mr. Hancock: Mr. Speaker, under Standing Order 23(h), (i), and (j) bearing on matters which would bring us into disrepute and, specifically, making allegations against a member, clearly anybody who is talking with the opposition House leaders would be the Government House Leader.

The hon. member doesn't have a clue what he is talking about. We met with the opposition House leaders as we do. We clearly identified what was going to be on the agenda as quickly as we could. We identified it in more detail for them as we could. We insisted that each minister or sponsor of a bill brief the opposition with respect to the contents of the bill, as is our normal practice, and that was done. I confirmed that that was done in each circumstance.

We made it clear in the meeting that on the first day we would be introducing all the bills so that they would be available for the opposition to see as early as possible in this short session and that on the second day they would all be moved and adjourned so that they would be available for debate on a consistent basis. We moved all of them and adjourned all of them as we said we would.

There were some that went a little bit out of the order that was on the Order Paper, but that shouldn't matter to the opposition because the point was that there was a government speaker moving and adjourning debate on them. We did that on the basis that it would accommodate the mover of the bill. But that's the only concern that the opposition might have with respect to the order of debate this afternoon. It doesn't impact their debate because it was very clear that all those bills would be moved and adjourned, and then at the end of that period of time we would go back to Bill 24, which is what we've done.

So to make allegations that we have done anything to deny democracy or otherwise compromise the opposition is false, and to suggest that we breached any agreement that we had is equally false. I ask the hon. member to retract.

The Deputy Speaker: Hon. member, please take your seat.

I listened to the debate here, and the subject matter is the bill that we have at hand. The hon. Government House Leader brings up a point which really is nothing about the bill but is about process. This is more like a question and answer that should be dealt with in the question period.

Please carry on debating strictly on the subject of the bill.

Debate Continued

Mr. Chase: Thank you very much. I am hoping that the lines of communication will be better opened than they currently appear to be.

Mr. Speaker, I have to suggest that I hope that courtesy will be afforded to the House leaders as to what bills are to be specifically discussed so that opposition critics are prepared at the appropriate times to be present in the House to debate. All right.

The Deputy Speaker: Hon. member, get back to the bill, please.

4:20

Mr. Chase: Aye. Here we go, Mr. Speaker. Our most recently

elected Premier has found herself caught attempting in vain to backstroke away from her key campaign promise to call a judicial public inquiry, which is the subject of Bill 24, Health Quality Council of Alberta Act, which is an end-run activity into the mess her predecessor Premier made in undermining public confidence in our universal health care system.

As recently as yesterday in her question period responses the Premier acknowledged only one of the three pillars of medicare, which is publicly funded. By failing to recognize the other two key pillars of a publicly administered and publicly delivered health care system, the Premier showed that despite her claims of being progressive, when it comes to championing public health care, she is cut from the same failed fabric as her predecessors. If the Premier and her chosen advisers, including Gary Mar's controversial health care confidant, Kelley Charlebois, thought they could distance themselves from their public health care missteps by sacrificing the former health minister, who is the subject of today's point of privilege, they are sadly mistaken.

Mr. Speaker, when it comes to Bill 24, Health Quality Council of Alberta Act, or any other piece of legislation that comes before this astute Assembly, we are judged by the company we keep. By raising a key former background third way consultant, the Member for Edmonton-Rutherford, who provided privatization advice to her two Premier predecessors and who introduced Bill 24 in the House today and is recommending and promoting it, to the position of health minister, our interim Premier has signalled that it's business as usual with the publicly funded private, for-profit health care agenda.

During next spring's 2012 election season the Premier and her caucus colleagues will hopefully be confronted by the electorate as to which master they serve, the public or the private interests. The main concern for Albertans, as it has consistently been in the past, will be the preservation and improvement of our public health care system.

Mr. Speaker, Bill 24 does nothing to improve the functioning of our health care system. As the hon. Member for Calgary-Mountain View pointed out, it at best can be considered redundant and at worst can be viewed for what it truly is, a stalling mechanism, a duplication of services. Without going into the detail that the hon. Member for Calgary-Mountain View pointed out, what we need is the type of openness and transparency that the Premier promised when she was campaigning. Now, the Premier promised that we were going to have an actual public judicial inquiry. The fact that the Premier has abandoned that circumstance is extremely troubling.

Mr. Speaker, I could not bring myself to purchase a Conservative membership card, but had I been in that position, the person I would have chosen for Conservative interim Premier would have been the Member for Battle River-Wainwright. However, the current Premier would have been my second choice. I along with a number of Albertans feel that we have had the wool pulled over our eyes because the transparency . . .

The Deputy Speaker: Hon. member, the bill.

Mr. Chase: Yes.

. . . that the Premier offered in calling for a judicial public inquiry is not present in Bill 24. You know, as the expression goes, you can put lipstick on a pig and you can attempt to turn a sow's ear into a silk purse. But that's not what's happening here. Bill 24 does not accomplish what an independent judicial public inquiry would accomplish.

Now, the major reason, as I say, for the introduction of this legislation is for stalling. The Health Quality Council has already

indicated that they won't be able to present their findings until the spring. Well, how convenient. Don't we have an election season scheduled for the spring? So any of the information, the damning information, that would come out of the Health Quality Council's findings to date will be delayed until after the election. How convenient.

The Health Quality Council of Alberta Act would not compel, for example, the Member for Calgary-West, a former health minister, or our hon. Government House Leader or our current MLA for Edmonton-Mill Creek to testify. Without the opportunity to hear from these individuals, who were directly involved in what has happened with the health system over the last number of years, Albertans are kept in the dark.

Now, I see that the former health ministers are communicating back and forth and enjoying a degree of joviality. That joviality they are currently experiencing will continue under Bill 24, Health Quality Council of Alberta Act, because they know darn well they're never going to be called to testify. They're ensuring in the proposal of Bill 24 that they don't get called. For example, the Member for Calgary-West, who is in such good spirits on my birthday, has already dismissed what the Health Quality Council might find. The prejudgment is there.

So Bill 24 is just more government mumbo-jumbo, which is part of the stalling process to make sure that even if the new government changes, this government, or if a coalition government forms in 2012 after the election, these individuals who contributed to the confusion, the establishment of the superboard, especially if defeated, may well never be called to account. This is a concern. There is no way, for example, that doctors who have been sent out of this province are going to appear before an extended version of the Health Quality Council.

Now, Mr. Speaker, I have a fair amount of faith in the interim head of the Alberta health group, Dr. Chris Eagle. But in terms of communication it seems that Dr. Chris Eagle was able to fax Don Braid of the *Calgary Herald* a nondisclosure fill-in-the-blanks agreement, but none of the doctors within Alberta Health Services were privy to that particular agreement. Just fill in what you're willing to have disclosed. Within that agreement they still can't disclose financial contract circumstances, so there's still a muzzle applied.

Bill 24, the Health Quality Council of Alberta Act, cannot achieve what an independent public inquiry under our current Public Inquiries Act would accomplish. What this government is trying to do is build the equivalent of a Trojan Horse, something that passes for legislation but really takes us nowhere. It's as hollow as the horse.

Mr. Speaker, if the Premier truly believes in transparency and accountability, Bill 24 will not get to Committee of the Whole. It will not get to the point of proclamation. It will hit the dustbin, where it deserves to be placed. True transparency and accountability will be what the Premier can run the election on. She was selected. Like the majority of people in this House who have not announced they're retiring, she has yet to be elected. I'm hoping that Albertans will demand more of this government.

4:30

The movement to have an election season, which we will discuss and debate in a further bill, is an important step. At least Albertans won't be caught by surprise. If they feel that democracy is important, hopefully they'll be given a chance to vote prior to taking on their responsibilities, whether it's seeding or taking a vacation, whatever it may be.

Bill 24, the Health Quality Council of Alberta Act, is such a shadow of what currently exists under the Public Inquiries Act.

Mr. Speaker, it's sad in one sense, but it's also offensive that with the same type of cloak and dagger, the lack of whistle-blower legislation, cover-up, preventing doctors from speaking because of disclosure agreements they previously signed, the truth will remain buried if this legislation is allowed to continue and to stall the legitimate process that a public inquiry would provide under our current Public Inquiries Act.

I appreciate, Mr. Speaker, that the heckling and joking has died down sufficiently. It does show the type of respect that should be afforded individuals within this House, whether they're members of the government or members of the opposition. The expression goes: fool me once, I am the fool; fool me twice, and it falls back on yourself.

Albertans need to be engaged. In 2008 only 41 per cent turned out. Of that 41 per cent of eligible voters 21 per cent of Albertans gave this government a major mandate. They've regretted it ever since.

The Deputy Speaker: Under Standing Order 29(2)(a) we have five minutes for comments or questions or clarification. The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you. The Member for Calgary-Varsity was talking about why he believes that it's likely that Albertans have regretted their choice since the last election. As it relates to this bill, I'm wondering if you could articulate in more detail why you think that might be their opinion.

Mr. Chase: Yes. By all means. The last set of Premiers rolled out a slogan of transparency and accountability. Unfortunately, it has been just that. It has been a slogan. I recall debate and question period with the former Premier, and I suggested at that time that the Premier had become so transparent that Albertans could see right through him.

Now, I had greater hopes and greater faith in our currently elected Premier. There is no doubt about her international credibility. She fought for democracy alongside Mandela. She is an educated individual. She is a lawyer. She is a mother. She has a whole series of strong qualities, and I would not suggest that one of those qualities is more important than the other.

As a former teacher, Mr. Speaker, I believe in report cards. So when it comes to restoring the money that shouldn't have been taken out of the Education account, I give her an A. When it comes to the promise she made to assist AISH individuals, it remains unfulfilled. The promise that the Premier made to call a full judicial public inquiry has not happened. So we have an A in the category of education funding, and the rest, unfortunately, are still to be evaluated. They haven't happened.

Mr. Speaker, I believe in the democratic process. I was elected under the Liberal banner, but I am not so partisan that I would not want to see every member of this House working towards a common goal, which is the betterment of Albertans' circumstance.

Bill 24 is a cloak. It's nothing to do with transparency. It's nothing to do with accountability. It's a delaying process that flies in the face of the very accountability that past Premiers have run on.

I am hoping, Mr. Speaker, that in the time that remains prior to the next election, I can see our newly selected Premier live up to her campaign promises. I want to have faith that when I retire and enjoy the company of my wife of 42 years and go out camping with my grandsons that at least for the time being the province will be in good hands, that the system will be improved, that the rights of opposition members to express their concerns without having time allotments called on them will be taken into account.

We have talented individuals on both sides of this House. If we could work together, think what could be accomplished for the province of Alberta.

Thank you, Mr. Speaker, for this opportunity to respond to the hon. Member for Edmonton-Strathcona on the need for transparency and accountability, which, unfortunately, within the seven years that I've been elected to serve the constituents of Calgary-Varsity has been missing from the procedures of this House.

The Deputy Speaker: Any other hon. members to join the debate?

An Hon. Member: Is Standing Order 29(2)(a) still available?

The Deputy Speaker: We have zero seconds.

On the bill, the hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. It is a pleasure to be able to rise and offer my preliminary comments on Bill 24, the Health Quality Council of Alberta Act. This is an act which, of course, has received a tremendous amount of attention in the public forum, in part, I guess, because it's the foundation of our current Premier's breakout moment when she was running to be leader of the Conservative Party. Many analysts say that the moment she actually started to have a campaign that developed a bit of traction was when she broke out of the pack by departing from the groupspeak which had dominated the commentary of all previous spokespeople for the Conservative Party on the issue of whether or not we might ever consider opening the doors of secrecy which guide and determine the way in which this government functions. In so doing, she had an opportunity to move forward and to ultimately succeed in her efforts to become the leader of the Conservative Party.

The Member for Edmonton-Highlands-Norwood made a very good point today in question period, that this Premier does not actually have a mandate from Albertans because, of course, she was not elected by Albertans. But she does certainly have a mandate from those within her party. A very marginal majority of that group, not a strong majority by any means but a slim majority within the Conservative Party, appears to support the current Premier. That is because she made a promise to move forward on the issue of openness and transparency as it relates to the issue of staff and intimidation within our health care system, an issue that had generated a great deal of controversy and attracted a great deal of attention amongst concerned Albertans over the course of the last year. So be it. That was something that enough people thought would make the Premier a credible leader that they opted to select her.

4:40

Now we are in that process, prior to an election season, of assessing those first rounds of promises. You know, the new Premier made a number of promises to Albertans and to members of her party, and now we get to assess the degree to which those promises are being kept. I would submit to you, Mr. Speaker, that this act is clear evidence of one of many promises which are not being kept by this new Premier.

It's interesting. I remember talking with a friend at one point earlier this summer, and we were looking at the promises that were being made by both the current Premier as well as a former member of this House, who at that time was perceived to be a front-runner, Gary Mar. People were saying: "Oh, well, this candidate has promised that, and this other candidate over here has promised this other thing. Oh, isn't this important?" And I said, "Well, you know, with all due respect," even though I am myself a lawyer, "they are lawyers. So it's really important that you read

the small print in terms of what these folks are providing and what they're promising because no one is better at weaseling their way around things when they feel the need to. We should be very careful about whether that's happening here." Indeed, that appears to be exactly what is happening here.

Many people might characterize the comparison between the promises made by the current Premier and the legislation we have before us in this very abbreviated two-week übersession, that you would see, in fact, that it kind of looks a little bit like what people sometimes characterize as sharp practice. You know, you're very careful about what you say, fully knowing how you're going to get around actually implementing that which you have very intentionally left the impression that you're going to implement. That's what I see in every piece of legislation that has come forward from this Premier so far. Certainly, that's what we see today with Bill 24 and the issue of whether or not we are actually going to have a proper, full public inquiry into the issue of government members and senior staff engaging in intimidating practices with professionals and other staff who are employed within our health care system in the task of keeping Albertans safe and healthy day in and day out.

Why do I say that this act does not actually meet the elements of the promises made by the current Premier of the province? Well, she indicated to Albertans on a number of different occasions that this inquiry, or the inquiry that was forthcoming, would be led by a judge. I believe it may have even been today in question period that she said that. Maybe it was yesterday; I'm not sure. But she definitely stated on the record that this inquiry would be led by a judge. I'm looking at the act, and I see no evidence of that. In fact, what the act clearly states is that the board, the Health Quality Council, appointed by this government, is the one that makes the decision on whether or not this inquiry will be led by a judge, and that decision is made in consultation with the Chief Judge or Chief Justice of the court from which that judge would originate.

I find it quite amazing that a Premier would get up there and very clearly make promises about something that in the very legislation she's putting forward she doesn't have the authority to make promises about. They very clearly set up a piece of legislation that does not guarantee the inquiry will be led by a judge. So it's not a promise kept. It's as simple as that.

You know, we can have all of the arrogant kind of offhand comments about members of the opposition by the Premier in her responses to our questions, but the reality is that this piece of legislation does not guarantee an inquiry led by a judge – and anybody who can read the legislation can see that – yet that is what the Premier promised. So we didn't get what we were promised. It's really simple, Mr. Speaker. It's really simple.

I mean, there are other concerns about this bill as well because, of course, it gives a lot of opportunity for the inquiry, which may or may not occur at some point, some day in the future. Who knows if it'll ever actually happen? I feel fairly convinced that we won't ever see it happen. Regardless, should it happen, what we're going to see is that there is a broad range of circumstances under which this government can do what it likes to do best, and that is to keep things behind closed doors. I don't know that there is another government in the country that is as creative and as energetic and as committed to the task of giving itself the ability and the authority and the opportunity to keep stuff secret as this group.

You know, you'd think that after 40 years you'd have some level of confidence that perhaps it's possible to speak with the people of Alberta in an open and honest way and probably get re-elected, but it seems that the longer they are in government, the more concerned and paranoid they get about the idea of actually

being open and transparent. Certainly, we have a long list of criteria that anybody engaged in this inquiry can rely upon to exclude the public from ever seeing the details of the proceedings of the inquiry that may or may not at any point be led by judge.

You know, it's an interesting group of exceptions, Mr. Speaker. Some make good sense and, I think, would appeal to the common sense and the reasonability of most Albertans. We don't want to disclose details that would be harmful to patients, that would disclose medical details of patients, who are somewhat ancillary to this process. They may be part of an example of an incident that occurred where a professional was ultimately intimidated. But why disclose the particulars of the patient that was involved in that case? That's a completely reasonable exception.

Then, you know, we have some really broad-ranging exceptions as well. I mean, one of my favourite ones here is whether disclosure of any medical information, basically, would be harmful to the physical or mental condition of a third person. Now, gosh knows, these guys are pretty liberal – and I use that in the nonpartisan way – with their concerns about the mental health of people, of third parties, and indeed have taken the opportunity to express that concern in somewhat inappropriate settings. There you go. All you have to do is be worried that disclosure of the proceedings of the inquiry might possibly result in injury to the mental condition of a third person, and Bob's your uncle; let's close those doors and lock them and throw away the key.

Now, if that's not broad enough in terms of the creative opportunities that the drafters of this legislation and this cabinet in approving this legislation gave themselves to ensure that they keep everything behind closed doors, just like always, how about this one: whether the disclosure might be prejudicial to someone whose interests are not concerned in the inquiry. Well, like the Premier? I don't know. There's someone, so there's a good reason: "Well, you know, we might disclose the inquiry or the proceedings of the inquiry or the findings of the inquiry or some of the evidence brought forward in the inquiry, but it'd be prejudicial to the interests of the Premier. So you know what? We're just going to keep that door closed, keep the lock well secured, keep the guards out front, and make sure that Albertans never hear the outcome or the conduct of this particular inquiry."

You know, here's another one: where the holding of the hearing in camera would be essential in the interests of justice or would be injurious to the public interest. How do we define that? Goodness knows, these guys have used, again, a lot of legislative time and authority to run away from any kind of third-party consideration of what is the public interest. The less independent assessment we have of that particular issue, the better for these folks.

4:50

Nonetheless, it's one of those things where it can be interpreted in a number of different ways, and depending on how it's interpreted, again we end up with that fabulous, fail-safe conclusion that we always find with these guys: it's behind closed doors, and nobody hears about it. All of those decisions, all of those considerations of those criteria about all of the 47,000 different reasons why we can justify keeping this matter behind closed doors, ensuring that no one ever hears about it: all of those considerations and those conclusions are absolutely not reviewable by any court. I thought that was interesting, too.

We could appoint the Health Quality Council, you know, people that have good, strong roots and links with the Conservative Party in this province, as the current members of the Health Quality Council clearly do. Then we could ask that council to set up the panel, and they'd get, of course, to pick their folks, and once they've picked their folks, then those people get into a room, and

they have a broad array of reasons they can use to make sure that no one else ever gets inside that room.

This is exactly what people were railing against, the issue of whether or not we should have a public inquiry into the actions of this government in terms of allegations that were made about whether there was intimidation of hard-working health care workers and professionals within the system. It was that very concern that we were trying to get away from. We wanted to have this open, transparent conversation. I have lost count of the number of times I've seen the Premier in front of cameras saying: open and transparent conversation. She loves to have conversations. She loves for them to be open. She loves for them to be transparent. And she loves to say that phrase over and over again.

Yet I have to tell you that this is a bill which gives credence to the notion that you'd better read the fine print. As much as we may say that, when it comes to holding someone accountable or finding a way to actually ensure that what someone says they will do, it all comes down to what's in writing. And when you've got what's in writing, you'd better read everything. Unfortunately, in so doing, I see that this Premier has failed her promise.

The Deputy Speaker: Standing Order 29(2)(a) allows for five minutes of comments and questions. The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Speaker. Hon. member, I wonder if you could answer for me – obviously, whether to call a judge-led inquiry is now optional. There's no doubt about that. Legislation makes that clear. Hopefully, she comes through with it if she actually . . . [interjection] Well, hopefully, she suggests it, and it occurs.

But my question is regarding the timing. We have a Public Inquiries Act on the books right now. Clearly, the day after or the week after or the month after she was elected as leader of the PCs and was sworn in as Premier, she could have clearly called a judicial public inquiry under that legislation without the need of new legislation. Her government is now bringing forward a piece of, frankly, redundant legislation. She didn't need this to call the judicial public inquiry. It would appear from her comments in the media lately that the plan is now that we won't have a judicial public inquiry called until after the election, which seems to go against what she specifically said during the leadership, that this would be well under way, if not completed, by the time the election was called.

Any thoughts as to why that might be a problem?

Ms Notley: Well, thank you, Member for Airdrie-Chestermere. You know, it's a good question. Of course, I guess it really all comes down to politics, doesn't it? I mean, it comes down to a very, very cynical decision to serve a political interest at the expense of keeping your word. In making that promise, the Premier at the time was simply concerned about the goal right ahead of her, and that was to win her way into the 51 per cent of Tories who would vote for her. That was the focus. Then, of course, when she woke up and discovered that she'd actually managed to do that, well, you know, the chickens had come home to roost, and it was a question of, "Well, how do we do that, because now the next campaign I've got to run is one to get this group of folks re-elected," or at least some of them, the ones that supported her. I'm not sure how committed she is to the others.

Anyway, then in the midst was, you know, that deliberation about how to deal with that because obviously transparency and openness is not something that I think would be particularly helpful to this government's electoral chances.

We then had to deal with the current Minister of Finance coming out very clearly and pretty publicly directing the Premier to change her mind on this and saying that he would not have any of it, that there would be no public inquiry because he didn't want it. Apparently, much to the chagrin of many Albertans, we had actually elected two Premiers. One of them apparently had more sway than the other. All of a sudden Mr. Finance doesn't want the public inquiry to go ahead, and it's also very inconvenient to the electoral chances for this government, which become increasingly relevant as we approach hunting season or election season or theatre season or whatever it is that these guys are planning on.

The question is simply this. There was the absolute opportunity to fulfill her promise, to engage in the kind of open and honest conversation with Albertans that she's constantly talking about, to do what she said she would do, and to establish her credibility by calling a public inquiry immediately after she was elected Premier. Instead, we've got this very convoluted, distractionary process, which is clearly geared to pushing everything off until after the election.

I'm willing to make a bit of a prediction, here, that the Health Quality Council, as they have the ability to do under this legislation, will choose not to have the kind of open, transparent, judge-led inquiry that the Premier is currently trying to sell us because they have the authority to do that. But they'll make that decision after the election. The hope will be day 1, term 2 – it's a new world. Right? Or day 1, term 93, whatever it is in this Legislature. It's a new world, and that Health Quality Council can wear the fact that they're not going to move forward with the Premier's promise at that time. You know, we'll be three and a half, four years away from another election. That's the way these things work.

I suspect that that's exactly why this is structured the way it is. It's been very thoughtfully done from a very cynical perspective by a government that's very adept at using all the mechanisms of power to get their way.

The Deputy Speaker: On the bill, the hon. Member for Fort McMurray-Wood Buffalo.

Mr. Boutillier: Thank you very much, Mr. Speaker. Certainly, I believe that Bill 24, the Health Quality Council of Alberta Act, is a fancy title that really doesn't achieve the objective of the promise that was made by the new leader of the PC government. It really concerns me when I speak of Bill 24 because we don't want to lose sight of the fact that it's about time that we give the Health Quality Council a bigger tool box to get the job done. Now, this decision comes at a very interesting time. It's being bandied about as the solution to a pressing problem, the need for a full public judicial inquiry. That was what, in fact, the contender who now is the PC government's leader and Premier said. It's the right tool for a different job. My bosses, Albertans, are not impressed.

It's really simple, Mr. Speaker. People don't respect someone if they don't keep their promises. In fact, I looked in the dictionary at what the definition of promise is. Clearly, the actions of this government are not living up to their promise. It's so basic that anyone outside of government can understand that. The government, under its new leadership, has a very tarnished reputation. The Premier made a very big splash. In fact, it was like a tidal wave when she promised, promised, and promised. She promised something that she thought Albertans were looking for. But the word "promise" appears to have lots of wiggle room. See, the Wildrose doesn't believe in making promises. We commit. I believe commit is the difference. This government promises and doesn't live up to them. We commit, and we will deliver. We

commit to true conservative values, values of telling the truth. Okay?

5:00

It's like a \$3 dollar bill. In fact, the way the government operates today, you would almost think the Minister of Finance thinks there really are \$3 bills. Well, let me clue him in. There aren't any \$3 bills going on. In fact, even the former Treasury Board president and the former Finance minister understood there weren't \$3 bills, but this new regime and new era that the Premier talks about clearly doesn't get it.

Mr. Speaker, I think it's almost like *Groundhog Day* two. We've seen that movie with Bill Murray in it. We've seen that with fixed election dates. As I speak here today, the previous Premier made a promise to my constituents – he made that promise over three years ago – to get a long-term care facility that was so badly needed. But, oh my goodness, it's three years later, and that word “promise,” that is being introduced into what this bill is all about, clearly does not live up to that commitment. That's unfortunate. When I refer to it, as I mentioned to the then former minister of health, it's really gibberish.

The Premier promised a judicial inquiry, and now we have Bill 24, which is absolutely like a \$3 bill, where judges are optional, where, by the way, the minister of health no longer appoints; it's appointed by cabinet. Winston Churchill said: if everyone is thinking the same, then nobody is thinking. We are not at all convinced that the people that are in this cabinet are doing anything more than trying to continue to secure their job based on living up to this Premier's word “promise.” It's very unfortunate that a Premier was breaking some major health promises to my constituents, and now here it is again, déjà vu.

I had to check the calendar to make sure that I wasn't living in 2009 again. I thought that this leader was actually going to change. But, clearly, the next election will, I believe, see real change, that the Wildrose will offer, something that this government does not know.

I'm glad to see that the Minister of Finance has woken up, and I see his lip is up by his other lip, which really means that I'm getting on his nerves. Now he's putting his hands on his head because he needs to be able to breathe, to make sure that oxygen goes to the brain. I understand that medical term because, of course, he was the minister of health. Mr. Speaker, the good thing, as I say, is that I wash my ears and my Q-tips don't fall in, like the member across the way. I would like to say that I'm glad he's paying attention to every word that I'm saying. Let me remind him that there is no such thing as a \$3 bill. Now, with this minister, of course, we've seen by his voodoo math that there must be \$3 bills out there. You know what? I almost think Lloyd would be better back there, certainly, than you.

I would like to say, Mr. Speaker, that I look at the kind of things going on – queue-jumping, against everything Albertans believe in with respect to health care; a superboard supervisor yesterday saying: you will regret it if you do this – and what do we do? We lose a doctor who, of course, is someone who is trying to do good in testing at the Baker clinic, and what happens? They just intimidated him and scared him out of the province of Alberta. That's a sad reality.

I want to thank also the hon. Member for Calgary-Fish Creek, who brought this to our attention with the doctor. I think that, clearly, in my judgment, the issue of the Health Quality Council is something that does not speak of accountability. The PC word “promise” really does not have any foundation. They don't have any foundation because they just wiggle around it. We don't promise; we commit. A commitment is something. That is your

word. That is your bond. I can proudly look at myself in the mirror and say: I live up to my commitments.

Mr. Anderson: Their bonds are from Italy and Greece.

Mr. Boutilier: Yeah. As the hon. Member for Airdrie-Chestermere said, you know, their bonds are from Greece and Italy. I love Greeks, and I love Italians, but the reality of it is that we've seen how their bond markets have been going lately.

I see that the minister of whatever his ministry is – I think it's HR now – is going to be talking, and I have to remind him that this is not billable time, so he may want to hold on to his breath for another time.

But I have to ask the question: why is the government doing this? How simple is it? We have a true conservative value: live up to your commitment. The promise was made. Live up to that commitment. It's not being lived up to. It's unacceptable, and I think you're going to pay the price in the next election for that unacceptability of it. [interjection] I can see that the three-dollar bill on the other side agrees with me. He's pretending to read, which is something that I will help him out later with, but I will say . . .

Mr. Marz: Point of order.

The Deputy Speaker: Hon. member, there's a point of order on what you said.

Mr. Boutilier: On what grounds?

Point of Order Relevance

Mr. Marz: *Beauchesne's* 459, Mr. Speaker, relevance, repetition. I believe we are talking about Bill 24, expanding the mandate of the Health Quality Council, and I haven't heard anything from this hon. member in regard to that. He's talking about promises and \$3 bills and all sorts of other comments that I can't in my wildest imagination see relate to this bill in any way, shape, or form. Perhaps if you could admonish the hon. member to stick to the contents of the bill, I think we'd all appreciate that.

Thank you.

Mr. Boutilier: Thank you, Mr. Speaker. I certainly appreciate the hon. member's comments and will try to stick to the bill even with . . .

The Deputy Speaker: Hon. member, please. There is a rule in the House about when the Speaker stands up.

I see that you have not stayed on the discussion of the bill strictly, and the hon. member has voiced a concern. There's a point of order, so stay on the bill.

Mr. Boutilier: Well, thank you, Mr. Speaker. As you know, I like to be very firmly directed on the point at hand, and I will try, regardless of the chattering on the other side, to stay on the bill because that's so important. I had no intention of talking about a \$3 bill until someone prompted me on the other side.

Debate Continued

Mr. Boutilier: I am accountable to my constituents, Mr. Speaker, of Fort McMurray-Wood Buffalo when it comes to the Health Quality Council. I believe, as members of this Legislature believe, that all Albertans pay for their health care system, and we need to be accountable to it. One has to ask the question: why is the

government doing this? This all comes back to the accountability and, ultimately, the truth. The government is afraid of the truth, the very thing that this Premier promised.

Any time I hear the word "promise," I think it's most important to actually look for the word "commitment" because commitment is real as opposed to what we have heard in these promises. There are very important people that are scared of what will be found. Perhaps that's the issue. This is opportunistic and against the public interest.

[The Speaker in the chair]

We always hear the same thing from the government. Mr. Speaker, trust is earned, and we believe there is not a lot of it going around this government. By dodging a public inquiry, by avoiding having a judge, clearly we believe they're appointing their own insiders in doing this. From the fact that it's no longer the minister of health but that it's actually the cabinet, that doesn't inspire us or give confidence to the fact that this is not a judicial public inquiry.

The fact is that we have in law, that was approved in this Legislature, a judicial inquiry act. That should clearly suffice. But what happened, Mr. Speaker? I'm glad to see that the minister of HR and everything else is listening. I would like to say clearly, in my judgment: why don't we keep to the truth, the truth that this leader, this Premier, promised? Why doesn't she commit to a public inquiry? Brave doctors are coming forward. Yesterday the Member for Calgary-Fish Creek talked about the Health Quality Council and talked about the fact that a doctor was bullied, intimidated, and in fact now cancer patients are left with the unknowingness of their testing that may be going on.

5:10

Mr. Speaker, world-class doctors, trained here in Alberta, are now world travellers because the government refused to listen. The doctor yesterday clearly said that he was afraid to come forward. I believe that I do respect the work of the Health Quality Council, but you don't come to this type of a review and this type of inquiry by just coming in like kindergarten as opposed to having a full-fledged inquiry. That's concerning. They are world-class doctors and health researchers that fill a vital role in our health care system, and they make sure we receive the best and safest health care possible.

There are issues in the delivery of care. They make sure we understand the situation so it won't happen again. In order to do this, their concern is patient safety, and I applaud that. They are great at their jobs, but are we asking too much of them? Are we asking doctors to be lawyers? God forbid. I can only say that that's not their job.

This is what confuses me, Mr. Speaker. We're giving doctors more legal powers. When an inquiry is called, they don't have to appoint a judge to conduct the proceedings. That is shameful. I ask the question: isn't this strange? Shouldn't we get the right person for the job? We're asking doctors to understand the rules of evidence and testimony. That's unfair to the Health Quality Council, and quite honestly I think it's unfair to all Albertans. The right person for this job, getting to the truth of what's wrong in our health care system: it should be the exact same situation with the federal Liberal, whom I know they're very closely associated with, Paul Martin, when, in fact, he had an inquiry. But what happened? He had the inquiry. Oh, they lost the next election.

We keep hearing about the current investigation by the quality council. Alberta Health Services talks about how this is a new world, where doctors are free to advocate for their patients. They are still afraid. I want you to know that nothing could be further

from the truth. Just this week our cancer pathologist came forward and said that he contacted the Health Quality Council about intimidation and persecution in the health care system. He brought evidence and testified to the lead investigator. Nothing has been done with that evidence, Mr. Speaker. Why? Because the investigation is behind closed doors, just where this government likes to make its decisions.

Finally, Mr. Speaker, what we have here is a case of the inmates running the asylum. It makes sense in the asylum, but anyone outside with perspective can tell you: this is loony. It's time to end the bait and switch here. Creating a kangaroo court is not what Albertans expect and need from their government. I call on this government and I call on this Premier to do the right thing and live up and commit to her promise, that she is failing on to Albertans now.

Thank you, Mr. Speaker.

The Speaker: Hon. members, Standing Order 29(2)(a) is available. The hon. Member for Calgary-Varsity under this section.

Mr. Chase: Yes. Thank you very much, Mr. Speaker. Through you to the hon. House leader, I want to recognize the fact that on this very specific occasion, when he suggested I didn't know what I was talking about with regard to the agreement between the House leaders, he was completely correct. I apologize to not only the House leader but to the hon. members connected to this Assembly. For my 64th birthday/anniversary dinner I'll be eating crow.

The Speaker: Well, Standing Order 29(2)(a) is still available. The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Happy birthday and happy anniversary to the member.

My question is to the Member for Fort McMurray-Wood Buffalo. Again, I'm having some real consternation, umbrage, with the fact that the Premier during her leadership race promised with regard to this legislation that the health inquiry would be held and conducted prior to the next election so that voters would have an opportunity to see everything before they voted and get confidence again in the health care system and all that sort of thing. Yet I'm not seeing anything in this bill that ties her to that. In fact, it seems that this bill might just be a delay tactic since we already have a Public Inquiries Act out there, that would allow her to call this public inquiry immediately if she wanted to. But here we are. We're still debating a bill that's really unnecessary at this point to do what she said that she would do during her election campaign.

I guess my question is with regard to the timing. Do you feel that this bill is just a delay tactic, or is it something that needs to be legitimately done in order to proceed with what the Premier promised again and again and again during her election campaign and, you know, embarrassed some of her own party over during the election campaign?

The Speaker: Hon. Member for Fort McMurray-Wood Buffalo, would you like to respond?

Mr. Boutilier: Yes, I would, Mr. Speaker. In fact, that's perhaps one of the smartest questions I've heard here this afternoon. What I would like to comment on is simply this. [interjection] Sorry. Mr. Speaker, the Minister of Finance, I think it is, is interrupting my comments through the chair. Let me refocus my thoughts again so that there's not another point of order.

Mr. Speaker, I find this really quite interesting. The short answer is that, yes, it's a delay tactic. When the federal Liberal

Party, in fact, under Paul Martin as Prime Minister, decided to have a public inquiry into the sponsorship scandal, what happened was that the results came out before the federal election, and we all know what happened. They were soundly defeated.

I think the actual connection is that this government and this Premier are afraid for this information to come out because they know that it will damage every single member that's sitting as a PC in getting re-elected. That is their concern; therefore, they are more interested in what I view as two things. They're interested in power and holding on to power. I believe that, unfortunately, the situation has arisen where, in my judgment, they are actually learning from the federal Liberals. They're learning from the demise of the then Prime Minister Martin. Therefore, the new leader does not want to face that same demise. But I don't think that Albertans will be fooled by this charade because we already have an existing law, a Public Inquiries Act, that can be commenced immediately, and we can find out the results before the election is called, which, I understand, based on legislation will be called between March and May 31.

Therefore, the short answer to the question is that this is a delay tactic because they want to just keep it under the rug. They don't want more doctors and more people coming out and exposing what has taken place in this situation. In fact, the Minister of Finance was part of this charade when he was minister of health, and truly it was gibberish.

The Speaker: Additional speakers on this subject? The hon. Member for Calgary-Buffalo.

Mr. Hehr: Well, thank you, Mr. Speaker. It's a privilege to be in the House tonight to discuss Bill 24, the Health Quality Council of Alberta Act. It's being talked about greatly tonight as it probably will dominate at least the papers over the next few days and possibly even the next election.

If I could talk sort of about the act first. The act itself goes some way to looking into some of the allegations that have come forward in our health care system. We've had numerous doctors and health care professionals who have felt they have been intimidated by this government. They've felt they have been intimidated from doing their work to the best of their ability and from advocating for their patients to their greatest ability, and that is deeply concerning.

5:20

In fact, some of these allegations happened over the course of the last 20 years. There has been much talk about how this should be eradicated from the system, how it should be made more open and transparent, and that doctors should be able to do their work without interference of the political system and free from reprisals from the political masters who are seemingly in charge of the health care system. So that's what the bill is trying to address.

If you look at it at face flush, it does go some way to ensuring that this happens in a reasonable and forthright manner. For instance, parties can sign nondisclosure agreements. They could be protected from subsequent liability and the like. So there is some certain degree that the government has gone to in trying to see that at least some of the complaints are heard. Hopefully, some of the stones will be overturned so that we can get to the real bottom of whether this has been plaguing our medical system and whether it has interfered with its administration of public duty, which is saving lives and improving the health of Albertans. If it does do that, I am hopeful that at least some good will come out of Bill 24.

You know, another part of me was thinking about this coming

over to the House. I was informed that we don't have very long to think about this or even to discuss this as the debate has been hurried along. In fact, we really didn't have long to prepare for this. We really didn't have much time to put this together. Nevertheless, I was thinking back to growing up. I hope you will allow me a little bit of leeway on this. We all have family members from time to time – you might have an uncle or an aunt or a grandparent or someone who has gone before you – who always love to rail against politicians whatever they do. I can remember being around the dinner table as a young man, and sure enough my uncle would say: "Oh, those stupid politicians. They're doing that Hibernia. It'll never pay out. Oh, those silly politicians. They're doing this." I can remember that when seat belt legislation came about, he said that it was going to be the end of freedom here in Alberta. You know, even when we brought in the metric system, he said that it would be the end, really, of Canada as a country as we know it.

We know there are people out there who say these things and are reactionary from time to time and love to, I guess, rail against anything public servants or members of this Legislature try to do. Even when these types of people are of the opinion that everything we do in this House is duplicitous, that it is for an untold evil, to either line our pockets or to further our prestige in the community or to secure some sort of advantage, in my view, this is often wrong, and it is often wrong for good reason. I think that most times Legislatures, both federal and provincial, at least try in their own way to get things done in a reasonable fashion that does not add to this public misconception. So on that sort of memory of growing up around this relative, my comments towards this bill become a little bit more terse, a little more that I'm not quite as satisfied with this as I would be at first blush.

You know, we all know politics is difficult. We all know promises are made, and sometimes promises aren't kept. I know that sometimes situations change and opinions have to change, but in general, hopefully, these are for a good reason, the economics of the time or balanced books or needs to be readjusted. Former promises of tax cuts don't necessarily happen because the public purse needs to carry on with the business of the day, providing education or providing health care. You can understand those sorts of situations when they come. The politician when he made those statements wasn't aware of certain implications that were going to come down the pike. Situations changed, and they had to change their minds accordingly, and it wasn't easy for them. Sometimes they had to pay the price with the electorate, sometimes they didn't, but they always did these things, I think, with a view to what was right at the time. At least, that's what I hope politicians would do.

When you look more specifically at Bill 24 and what transpired over the summer in the Tory leadership campaign, you had many participants in that race who simply would not call for a public inquiry. They said: "No. I will not go down that road. I will pay the price in this race. We're going to let the chips fall where they may on that because, in my view, I don't have the ability or the support to bring this about." They made that conscious decision because I believe they could see the six months down the road, where they would not be able to fulfill that promise. In not making that promise, it may have effectively cost some of them their position as leader of the Progressive Conservative Party, Premier of this province. But they made that decision at that time, I think, looking forward to today, to what we are facing now in this Legislature.

Instead, we have a Premier who chose six months ago to go down this path. She struck the bold path of saying: I will call for a judicial public inquiry. This was made to much delight and fanfare

of many people in my community, some family members, some nephews, some teacher friends of mine. They may have gone to the polls and struck a ballot for this individual, saying: "Right on. Here is a person who's willing to go down the uneasy path of looking into this matter, of getting to the bottom of it. Maybe we have a politician who's going to do what she says."

In my view, this Premier was smart enough to know, when she made this comment some six months ago, that today she would have to either invoke a public inquiry or go back on her word. I'm not sure what happened in the interim. I assume there was some pressure put on her. But at the time she made that statement, she had to have known this day was coming. Okay? I'm hoping, at least I was at that time and am still hoping today, that she will understand that those words meant something. It's not one of those promises where the circumstances changed, Mr. Speaker. It's one of those circumstances where the tea leaves were drawn out, where she could see the future. Budgets aren't changing this effect. The timelines haven't changed. We're dealing with allegations into the public health care system. She knowingly did this to get votes, and she realized there was going to be a day to pay for this. Now we see it here.

I look at this situation as being very different from some of the ones we alluded to earlier. In other situations, say, where Mr. Bush Sr. said, "I will never raise taxes," well, guess what? He looked at the situation. The budget had changed, the economy didn't grow as much as it could, and in his good conscience he said: "I can't let the country slide further into debt. The situation has changed."

5:30

But in this situation the situation has not changed. This Premier knew what she was saying then, and she knew what she was going to have to do now, and she has chosen not to do this now. In my view, that was wrong. If it's wrong now, she shouldn't have said it earlier because, in fact, it probably propelled her to the position she is in and garnered a lot of trust.

Now, I can't tell the future. Maybe it doesn't matter. Maybe it doesn't mean a tinker's darn. Nevertheless, let's go back to my uncle, who is sitting around the kitchen table or wherever he is right now reading the paper and going through his same monologue. Maybe this person can never change anyway, Mr. Speaker. Maybe he is destined to think the worst of us at all times. He's picking up the paper there, and he's going to rail the next time I go down there, probably at Christmas sometime. "See? All you politicians are just the same. There are promises made; there are promises that weren't kept. You're all a bunch of rats and scoundrels." And this has added to his fuel.

I believe that this has caused some rancour amongst our citizenry. It's caused possibly a lack of confidence in our elected officials and, in my view, was unnecessary given that the Premier knew what she was saying then and that she knows now what she is doing. In my view, that is the trouble with this. People continue to lose their confidence in what we have before us in this House, continue to have shaken confidence in our abilities to do what is in the public good. In this case their confidence should be shaken and rightfully so.

Those are my comments. I would leave them for those to consider. In my view, the Premier should be calling for a full judicial public inquiry, like she promised, like she used to get herself elected to this honourable position. Now she should let the chips fall where they may as she knew what she was saying then, and she knew what the consequences would be today.

Thank you, Mr. Speaker, for your time. We'll go on from there.

The Speaker: Hon. members, Standing Order 29(2)(a) is available for five-minute exchanges.

There being none, shall I call on the hon. Member for Calgary-Glenmore, then, to participate in the debate?

Mr. Hinman: Thank you, Mr. Speaker. It's an honour and a privilege to rise and speak to Bill 24, the Health Quality Council of Alberta Act. I believe the title should go a little bit further, though. I believe this is nothing more than an act that's been put together for the health and the quality of the PC Party and their new Premier. It has very little to do with the Health Quality Council judicial inquiry that should be being brought forward. Again, it looks like an extension of a cover-up to me.

I just want to start off, I guess, by mentioning that it was back in March of this past spring when the former Premier called for the Health Quality Council. At that point there was a lot of debate saying that that wasn't going to do the job. The Health Quality Council was to look at the quality of delivery of health care in the province. I think that we can say that the delivery is actually pretty good. The wait times, the concerns are another issue. But what was at issue and at the root of this entire problem is the intimidation, again, as Dr. Duckett spoke out about later after being released, the priorities and the influence that government MLAs were having on the health procedures being performed here in the province.

There are two or three things that I think are unequivocal when it comes to asking Albertans on the street, and that is that the intimidation is real. There's been economic intimidation in the province. There's been intimidation in many areas, in many departments, but the one that concerns Albertans the most is the intimidation that's gone on for doctors and health care professionals, who are trying to provide service and be advocates for Albertans and who have been told: "You know, don't step out of line. Things could get iffy for you if you do." It's very, very disappointing that we are not having a full judicial inquiry.

We already have an act here in the province for judicial inquiries, and I don't think there's anybody over there on the government side that knows and understands that better than the Premier. There's no question that back in June and July, before the first report came out, the Premier, in talking to reporters, very much indicated the need for a judge and the need for a public inquiry and wanted to restore the confidence of Albertans in, I want to say, the governance of the quality of health that's being administered here in this province. This act is not going to address any of those concerns for Albertans. It's a confidence crisis that is ongoing.

We have lost health care professionals who have left the province because they've been told: you know, if you want to stay here and speak out, your future is jeopardized. There have been times, access to operating rooms and other areas, that have been brought forward, but I think the tipping point for all of this was just two days ago, when our health critic, Calgary-Fish Creek, was in contact with many physicians who have said over and over again – and even the Alberta Medical Association says that physicians will not come forward unless it's a full judicial public inquiry. Even with the Medical Association speaking out, this government has put their Q-tips in their ears and plugged them so that they don't have to hear it.

The past health minister spoke out unequivocally on the 4th of October saying that he would not support an inquiry into health care. He said that it would be a waste of time and money. But I think what it's all about is the health of the government, that it's jeopardizing their health if there was a full inquiry to be going forward.

I think our new Premier even was so naive at this point to think, because she's new in here: I'm clean from this, so I can talk about a public inquiry. But to me there's no question that the information that's coming forward is so damning that they're saying: "You know what? We can't have an open and public inquiry. We have to remain behind closed doors." This bill, Mr. Speaker, addresses that. It gives all kinds of protection, where this, I guess, kangaroo court is going to say: "Well, this is damaging. We will do this in camera." It's written in this bill to protect them. It's protection in here for a third party, and I have to ask: who is this third party? I think they're sitting over there in many spots on those benches. They are the third party that this is referring to for third-party protection in here. It is very alarming and concerning that this is the first step that this Premier wants to take in fixing the crisis in our health care. It needs to be addressed. Bill 24 simply does not address it.

It's interesting, you know. Why not make it mandatory to have a judge do the investigation here? I mean, they talk about it. You would think that it would at least be so simplistic when they're writing this to say: "Well, we won't leave it up to the minister or cabinet. We'll actually make it legislation and say that it must be a judge." But they don't even do that. They leave it vacant to say: well, at our discretion. From everything that I look at and read and hear about, this is for the protection and the health of the government, and that's disappointing.

What we're worried about is the health – and I want to say the health and the morale – of our health care professionals. It's never been a lower time for those that I speak to that have been practising health for 40 years in the province. They say that the front-line morale of those professionals providing this service is at an all-time low. They've never seen it worse. Originally, when the new superboard was put together, it was mandated in there. They were not to speak out, and they would be punished if they did. Then they said, "Oh, we'll recant that," but the punishment continued. It's just ridiculous to think that because they recanted, it's not going to happen when it continues to happen, and colleagues see this. There are a few individuals that say: "You know what? I'm not going to be part of this." They've moved on. They've left the country. These are world-class health care doctors and professionals that don't want to be here anymore. They don't have to be, but they want to be.

Again, in the case of Dr. Magliocco all I can say is thank you to someone who was willing to speak out that this government has no desire to have a full inquiry. I believe, personally, that one of the reasons why he spoke out was because of the amount of time and testimony he provided to top health care professionals and those on the Health Quality Council and to Dr. Chris Eagle, to all of those, and to Ken Hughes, the chair of the superboard. When they came out with their mid-term report in October, which I might also add, Mr. Speaker, is when this was supposed to come to a conclusion, he wasn't even mentioned – not even mentioned – in that report.

5:40

I find that astounding, that he spent over two hours and talked about it, had the e-mail to say: look, they told me that you would regret this if you speak out. He said: "Well, I guess I'll look after myself. I'll find another job." He's also said, Mr. Speaker, that he feels that in his new jurisdiction where he's at – and they've recruited him; they're excited to have him – that to put his team together, it's going to take him two years to duplicate the team that we have currently at the Tom Baker facility in lab tests.

We all know that when it comes to sports, when you have a winning team, you can't just dismantle it and move it and bring it

back together. They've spent years putting this together, yet there's no regard, and in eight more days that facility is going to be shut down and moved. They say: "Oh, you know, there's no harm. There's no danger."

What's critical in all of this is that this government has already called on the Health Quality Council to do an inquiry. It's failed – it's clear – so now they're looking at having new powers to reinstate and to call new people for a kangaroo court to look at this. They've gone to great lengths, again, as I say, in here to protect the government, to protect health ministers, to protect superboard members, to protect everyone except for the doctors, the nurses, the health care professionals, and the people of Alberta. You just have to ask: why? Why are we doing this? Then it becomes quite crystal clear. Why? Because there's an election.

We have a flexible time period, and I think the number one reason for that flexibility is, well, in case there's an economic downturn, not a climate downturn, or there's a health care downturn, not a dry season.

Mr. MacDonald: Scandals.

Mr. Hinman: A scandal. Thank you, Member for Edmonton-Gold Bar.

Mr. MacDonald: What scandals do you think could happen?

Mr. Hinman: Oh, so many. So many. The Member for Edmonton-Gold Bar is asking: what kind of scandals? It would be better to ask them. They know, as the terminology is, where the skeletons are in the closet.

Mr. Speaker, it's incredibly concerning that this government and this new Premier have come forward with a bill to say that we're going to give new powers and create a new Health Quality Council of Alberta Act to get to the root of this. I don't see any intention or desire by this government to do that. What they want to do is postpone it. This is like finding out that you've got a wisdom tooth that needs to come out, and when you think about that, you go: "Holy smokes. I've got to postpone. This is going to be painful."

I talked to one individual. The doctors for years tried to tell him: we need to take out your wisdom tooth. It was causing him migraine headaches and everything else. Because he's delayed so long, he's been told that it could give permanent damage and that he won't have sensation in his tongue, so now he puts up with the headaches because he doesn't want to lose his taste.

I think this is exactly the problem here, that they've postponed it. They had a year to have the Health Quality Council investigate and to bring forward and account for the intimidation and the bullying that's going on, and they've failed. Because of that – and it's real – they can't have an inquiry now. If they were to pull out that truth, it would cost them their life, so this is about protecting their very life going into an election. With no evidence being brought forward, like you would under a public judicial inquiry, it's just extremely disappointing. We need to do better.

This bill should not be supported. This government should not pass this bill. They should do what the Premier promised, and that is to bring forward a full judicial inquiry and to actually bring forward witnesses that are able to speak, that are truly protected and not just pushed out of the province and told: "Go practise somewhere else. We don't need you." A flippant remark by our new health minister: "Oh, no problem. We can just transfer these people over. There's nothing to worry about. We can carry on with this testing and put a new team together and have that world-class experience transferred over" when we don't even know how many are going to leave on that team. Is the government even

aware of how many of those pathologists and those working over there are leaving because they're so upset with the way their colleagues have been treated?

As Albertans are continuing to lose confidence in their quality of health care and as the health care professionals are the ones that have been asking the most for a full judicial inquiry, it's disappointing, to say the least.

A few other points that maybe we can go over. Public interest. How many times do we hear the Premier use the words "public interest"? I don't believe that the PC Party's interest is in alignment with the public interest. If it was, they would be doing something different. They're about power. They're about control. We see that they continue to want to centralize those powers, those decisions. They don't want to turn it over to a public inquiry, I very much believe, because of the damning evidence that would come forward and would be detrimental to the health of that party, even the life of that party.

Mr. Speaker, I just can't express enough my disappointment in the Premier and her solution, that she feels is for the people of Alberta, when everyone I talk to that delivers health care and those citizens that are concerned about this just shrug their shoulders. They're in disbelief. What are they doing? Why are they delaying this? Why can she pop out and spend \$107 million in days, yet she can't call a full judicial inquiry in those days? As I said earlier, I don't think there's anybody over there who understood better than herself, with the quotes that she gave to the media those months leading up to her leadership, what a full judicial inquiry was. Yet she misled the media. She misled the members of this House. She misled Albertans. It's disappointing.

The Member for Calgary-Egmont is shaking his head.

The Speaker: We have a point of order.

Point of Order Parliamentary Language

Mr. Hancock: Mr. Speaker, with respect to the hon. member's clear and intentional breach of the rules with respect to using unparliamentary language, I heard the words "misled" and "mislead" probably 10 times. I didn't quite start the count, so I'm not sure exactly the number of times. Mislead is not a parliamentary word. It doesn't show respect for the Legislature.

The Speaker: Actually, it has been used more times than necessary. The context is everything. I do believe that the hon. member also used the phrase "deliberately misled," which is even more damaging.

You've only got 22 seconds left. Can you sort of just clean it up?

Mr. Hinman: I appreciate that, Mr. Speaker. It does get frustrating, I guess, on this side because you hear it used so much that I forget. I mean, it's just done. It's say one thing; do another, then, I guess. It's just misspoken, misunderstood. The perception is that when you look at what the reporters recorded versus what's happened, there's a dichotomy here that cannot be brought back together.

Debate Continued

The Speaker: Hon. members, Standing Order 29(2)(a) is available.

Mr. MacDonald: Yes, Mr. Speaker. I have a question for the hon. Member for Calgary-Glenmore. Certainly, I enjoyed his remarks on Bill 24, the Health Quality Council of Alberta Act, but I have a question regarding the regulations. The cabinet may make regulations. They have 16 ways here to write a regulation, as I see it.

I'm curious: if you thought they would table those regulations and you would have the chance to look at them, would your opinion on the bill change? Is it possible that if you saw the regulations, you may consider supporting it? There are 16 different ways here to write a regulation.

Thank you.

The Speaker: Hon. member, if you wish.

Mr. Hinman: Thank you. That's an excellent question. I guess I would say that I think if they were actually to bring forward the regulations, it would be more damaging than more supportive. I mean, what's the famous quote? The devil is in the details. The details are missing. The details are left to the whims of cabinet.

I'm very concerned that the inquiry would be regulated to death and controlled to the point of strangulation and would not function properly with the regulations that are coming out. I mean, it should be simple and clear, a full judicial inquiry. Then the inquiries act would take place, and a judge would step forward. They would have the *Rules of Court*. They'd be compelling evidence, they'd be compelling witnesses, and they would actually probably get to the root of this. But none of that, from what I have seen in here, is going to be in there other than smoke and mirrors. They speak about that they could; they might be able to if they desire to. All of the wording in there is such that you have to ask. It's so ambiguous. Oh my goodness, look at the latitude that they're giving this. There's no desire to come to a solution. If they had a desire to come to a solution, it would have come out already.

5:50

Again, in October when they came out with their report, I think the most disheartening thing for health care professionals was the fact that many of them had gone in and testified already and had spoken to the Health Quality Council, and there was very little, if any, mention of the bullying and the intimidation, which is real and is happening. We're losing professionals from the province. Are they going to come forward? Are they going to compel witnesses? No. I think they've probably got a list of who not to call. That would be in the regulations, to say: "Well, you know, don't call this or this or this area. We don't want to get into that." Again, it's about protecting the government. It's about protecting past ministers. It's about protecting the superboard. It's just wrong.

I mean, Dr. Duckett has spoken out. I think he did that with a lot of thought, carefully worded, on the manipulation and how his hands were handcuffed and how he was unable to perform the way he wanted to and was completely frustrated. That day when he put a cookie in his mouth, I believe, was because he was told: don't you speak or talk to any reporters. So what did he do? He thought: "Oh, that will be cute. I guess I'll just chew on a cookie to avoid that." I mean, Dr. Duckett was an individual that we could have used for another year, with his experience, to go through and find out what the problem is with the efficiencies in our hospitals, what the true cost is of each operation in Edmonton and Calgary and Lethbridge, to get down to the actual pennies and dimes of what the problem is. Yet he was not used for the talents that he had, and it was very disappointing.

This quality council I don't believe will even bring him in to ask him anymore. Again, the biggest problem is that they have the discretion to go in camera where they think there might be third-party harm. Third party for whom? Let's have the names of who they're worried about. The last three health ministers? The last two Premiers? Who are they needing to protect? That's the question that one has to ask.

I thank the hon. member for the questions. I think those

regulations will be more prohibitive to finding the truth than helping it.

The Speaker: Hon. Member for Edmonton-Gold Bar, another question?

Mr. MacDonald: Yes. I have another question, please, Mr. Speaker, for the hon. member. Section 17 of Bill 24 is the authority to establish a public inquiry. Are you confident that the cabinet should have that authority and that they will act in the public interest in their deliberations, whether or not a public inquiry should occur?

Mr. Hinman: Well, I think it's quite clear that if . . .

The Speaker: Alas, the time has expired.

Additional speakers? The hon. Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. The object of the bill is to invest in the HQCA new health system inquiry powers and to require it to report directly to the Legislative Assembly. This is like reinventing the wheel. We have the Public Inquiries Act. I don't think we have to go this route. We should leave the mandate at whatever the Health Quality Council is supposed to do. We should leave it at that. I don't think this happened overnight because health care has been suffering for a long time, you know, since the '93 cutbacks. The problems keep piling up, piling up, piling up. I believe that in 1989 we had 13,300 acute-care beds, and two decades later we are left with 7,800 acute-care beds while the population has increased by approximately 700,000 or 800,000.

These problems didn't start overnight. With these cutbacks the front-line care providers were under a tremendous amount of stress, and the wait times kept going up and up and up. Obviously, people who were connected were probably going to get better treatment when the wait times were long.

In March the Member for Edmonton-Meadowlark, the outcast Tory, in question period raised some concerns about doctors being silenced, doctors being intimidated, and doctors being driven out of the province. Their careers were sabotaged for speaking out

about patient care. Not only doctors, Mr. Speaker; even the nurses were scared to speak out. Then Dr. Duckett revealed about the well connected getting preferential treatment, jumping the queue. That was happening under the decentralized regional system. There was queue-jumping. Albertans were kind of vaguely aware that the politically connected were getting a little better treatment. An example is when the Calgary Flames and their families got immunization while average Albertans were made to wait because of the vaccine shortage.

Mr. MacDonald: Did they make the playoffs?

Mr. Kang: I don't remember that. I don't follow hockey too much. But I'm a Calgarian, you know, so I'll support the Calgary team.

The Speaker: Hon. member, please, through the chair, who is quite interested in your remarks.

Mr. Kang: When Dr. Ciaran McNamee came out and said that he couldn't speak, the government was in a rush. They appointed the Health Quality Council inquiry. The Health Quality Council inquiry has said that lots of doctors are not coming forward to testify until they get the protection of the law, that because of the nondisclosure agreements they signed, they cannot reveal any information. In my view, the Health Quality Council of Alberta Act is not going to achieve what a full judicial public inquiry would achieve.

In June the Premier put herself apart from other leadership candidates when she agreed to hold a judicial public inquiry led by a judge, who has the power to compel evidence. That was a very bold statement on the part of the Premier. I think that because of that statement, lots of Albertans thought that, you know, she was different.

The Speaker: I am sorry. Hon. member, I hate to interject, but the Assembly must now adjourn. It will reconvene at 7:30 p.m. in Committee of Supply.

[The Assembly adjourned at 6 p.m.]

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Managing Editor
Alberta Hansard
1001 Legislature Annex
9718 – 107 St.
EDMONTON, AB T5K 1E4
Telephone: 780.427.1875