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The 27th Legislature
Fourth Session

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Tuesday afternoon, November 29, 2011

Issue 42a

The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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| Doerksen | Sandhu |
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Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 29, 2011

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon.

Let us pray. Let us keep ever mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work let us find strength and wisdom. Amen.

Please be seated.

Introduction of Guests

The Speaker: The hon. Deputy Premier.

Mr. Horner: Thank you, Mr. Speaker. It is an honour for me to rise and introduce to you and through you to the members of the Assembly a rather large group of grade 6 students from Muriel Martin school in St. Albert. We have 82 guests in both the public and members' galleries. They are accompanied by Mrs. Rhonda Surmon, Mrs. Jody Bialowas, Mme Roxanne Arnett, Mrs. Katie Boyd, Mrs. Janine Jespersen, Mrs. Lynda Saunders, and parent helpers Mrs. Tanya Doran, Mr. Rolando Garcia, and Mrs. Cindy Gilmore. I had the opportunity to of course get my picture taken with them at the Leg. I asked them the questions I ask all the grade 6ers, and I have to say that this is a very bright group of students, and the future of Alberta is, indeed, in good hands. I would ask them all to rise and receive the traditional warm welcome of this Assembly.

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

Dr. Taft: Thanks, Mr. Speaker. One of the many wonderful things about Edmonton-Riverview is that it contains the University of Alberta, and one of the privileges of that is being able to introduce guests who attend from that university. Today it's three guests from the University of Alberta International Centre, and I'd like to introduce them to you and through you to all members of the Assembly. They're seated in the public gallery. Their names are Jeremy Burns – you could rise as I read your name – Naoki Yonezawa, who is here visiting from Japan, and Jason Kakakaway. They are, as I said, standing in the public gallery, and I would ask all members to please give them a hearty welcome.

Thank you.

The Speaker: The hon. Minister of Seniors.

Mr. VanderBurg: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to all Members of the Legislative Assembly valued staff members from the office of the public guardian. These dedicated staff members of my department provide decision-making supports to Albertans who no longer have the capacity to make these personal decisions. They are here today to be recognized for their important and dedicated work for vulnerable Albertans and to be recognized for receiving a Canada award for excellence, which we'll hear more about in Members' Statements. They're seated today in the public gallery, and I'd ask them all to stand to be recognized by all my colleagues here.

Thank you.

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

Dr. Swann: Thank you very much, Mr. Speaker. It's a great honour for me to rise and introduce to you and through you to the House a friend, a Calgarian and paramedic. Pete Helfrich lived in the region and worked for Calgarians for 20 years. He is passionate about excellence in the health care system, and he's here to watch how we do the procedure of legislating. We hope to have him as the nominated candidate in Banff-Cochrane. I'll have him rise. Give him the warm welcome of the Legislature.

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

Mrs. Forsyth: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you the Wildrose candidate for Edmonton-Gold Bar, Linda Carlson. Prior to taking the plunge into politics, she worked as a policy analyst for Health Canada, where she reported on the Alberta health care system. Having met with Linda, I can tell you that we're lucky to have her representing us in the coming election. She brings a lot of energy that's so contagious, I know it'll catch on with the residents of Edmonton-Gold Bar. I want everyone to meet Linda, and give her the warm welcome of the Assembly.

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

Mr. Horne: Thank you very much, Mr. Speaker. I'm very delighted to introduce to you and through you to all members of the Assembly employees here today from my department of Alberta Health and Wellness. I'm particularly delighted because the group of young men and women I'm about to introduce are participating in the government of Alberta policy internship program. They're here to observe question period.

Over lunch we had the opportunity to discuss their ideas and their advice with respect to Alberta's health care system. Mr. Speaker, I want to commend each of them for their dedication to public service and for taking seriously the very important work of public policy, particularly as it relates to health care. These members are seated in the members' gallery. I'd ask each of them to rise as I call their name: Layne Douglas, John Gaye, Harpal Hothi, Brittany Wiebe, Ben Wong, Rose Geransar, Katelyn Erickson, and Matthew Robertson. I'd ask that all members join me in extending our traditional warm welcome and our thanks to these very important guests.

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

Ms Notley: Thank you, Mr. Speaker. Today I'm very pleased to introduce to you and through you to this Assembly two guests from the constituency of the Member for Edmonton-Highlands-Norwood. Brendan Van Alstine and Ken Kirk are two hard-working volunteers who've been instrumental in the Alberta NDP's East Edmonton health centre postcard campaign. Along with other volunteers from that member's constituency they've assembled numerous signatures from people who support our call for the government of Alberta to immediately provide full funding to open the family medicine and urgent care sections of the East Edmonton health centre. I would now like to ask Brendan Van Alstine and Ken Kirk to rise and receive the traditional warm welcome of this Assembly.

Members' Statements

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

Public Guardian Office Award for Excellence

Mrs. Jablonski: Thank you, Mr. Speaker. I'm pleased to rise today to announce to all Members of this Legislative Assembly that the office of the public guardian has received a Canada award for excellence. Canada awards for excellence are awarded to both government and private-sector organizations in recognition of their pursuit and commitment to excellence. These prestigious awards are presented by Excellence Canada, an independent not-for-profit organization committed to improving organizational performance and recognizing excellence in organizations across Canada.

On behalf of this government I am pleased to applaud the office of the public guardian on receiving a silver quality award for their continued commitment to quality and to improving the lives of the vulnerable in Alberta. Winning this award in 2007 and again in 2011 means that the office of the public guardian is one of Canada's top organizations. As part of the Ministry of Seniors the office of the public guardian provides decision-making support for Albertans who are unable to make personal decisions for themselves.

The office of the public guardian plays an important role in this province. Over 2,000 represented adults rely on public guardian representatives to make personal decisions for them that best meet their needs. As well, this department has worked tirelessly since 2005 on new and enhanced legislation to replace the 30-year-old Dependent Adults Act, and on October 30, 2009, their hard work came to fruition when the Adult Guardianship and Trusteeship Act came into effect. This important piece of legislation provides Albertans with a range of decision-making options and safeguards.

The staff of the office of the public guardian and the Ministry of Seniors work hard every day to promote excellence and to improve the quality of lives for some of our most vulnerable citizens. This Canada award for excellence is truly deserving. Mr. Speaker, I would like to ask all Members of this Legislative Assembly . . .

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

1:40 Tom Baker Cancer Centre Pathology Lab

Mrs. Forsyth: Thank you, Mr. Speaker. Tomorrow the Alberta health superboard, with the full blessing of the Premier and the health minister, will shut down cancer testing at the Tom Baker cancer lab in Calgary. They will proceed despite dire warnings from the lab's former director of pathology, Dr. Tony Magliocco.

Last week Dr. Magliocco sounded the alarm over the pending closure, expressing grave fears that the PC government is setting Alberta up for a repeat of what happened in Newfoundland, where women with breast cancer died because of faulty cancer testing. He did all that he could behind the scenes to stop this closure, but his patient advocacy was met with threats, bullying, and intimidation from superboard officials. He was even told that he would regret it if he didn't shut up and go along with it.

Fed up with how he was treated and frustrated at his attempts to stand up for his patients being ignored, Dr. Magliocco resigned his position, and he has since left the province. He has taken a position at a Florida lab, where he has been asked to re-create the same test down there that our government is shutting down here.

They tell us, the government, that they have a transition plan in place, but they won't show it to us. They say that they have been validating tests at Mount Sinai in Toronto for six weeks, but they haven't.

Mr. Speaker, how many more world-class doctors will Alberta lose because this government runs them out of the province? How many more are being bullied and threatened into silence while the superboard makes decisions behind closed doors that affect patients? More importantly, how many patients won't get the care and the treatment they desperately need because their doctors are being ignored? These are the questions Albertans are asking, questions that they refuse to answer. How appalling that our government is more interested in saving its political skin than saving lives. Call the public inquiry now so that we can get answers before you call the election.

Initiative for Welcoming and Inclusive Communities

Mr. Benito: Mr. Speaker, I have the honour and privilege today to share details of an exciting initiative called Come Together Alberta. Come Together Alberta is led by the Minister of Human Services. Newcomers play a significant role in the economic prosperity and social fabric of Alberta. The purpose of Come Together Alberta is to help Alberta communities find ways to ensure newcomers get support to build connections, establish roots, and feel at home within their communities.

This initiative encourages communities to plan and prepare for newcomer population growth. Of course, every community has its own unique needs. Through the Come Together Alberta initiative communities take the lead to keep those needs in focus and build upon their existing settlement and integration services.

Come Together Alberta encourages all Albertans to connect and work together to welcome newcomers into their communities. The government of Alberta is partnering with the Alberta Urban Municipalities Association to establish and promote best practices with online tools, resources, and community outreach.

I believe the Come Together Alberta initiative is vital in ensuring that we welcome and retain newcomers so all Albertans benefit from a dynamic, inclusive, and multicultural community. Thank you very much, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Mr. Speaker, the hon. Member for Calgary-Buffalo is going to deliver the private member's statement.

The Speaker: Proceed.

Provincial Revenues

Mr. Hehr: Mr. Speaker, today I'd like to pay my respects to two of the hon. members on the government's side, the Minister of Municipal Affairs and the Minister of Finance. Both of these gentlemen deserve kudos for recognizing that at some point in time our province needs to address the issue of revenues. During his leadership bid the hon. Minister for Municipal Affairs pointed out that while Alberta spends \$39 billion annually, we're only taking in \$12 billion in corporate and personal taxes. A good chunk of the other money comes from nonrenewable oil and gas revenues. He recognized that this is a massive structural deficit and it can't go on forever. As the minister pointed out, we need to look at increasing revenues. The minister was brave enough to even use the T-word, taxes, as maybe they need to be higher to address this significant structural deficit.

The Minister of Finance, in his usual diplomatic manner, suggested more recently that the province might need to start collecting a provincial sales tax, and he took some flak for floating the idea. But I applaud the minister for admitting that we need to do something on the revenue side. Sure, we could cut a billion or two in legitimate

wasteful spending, but we can't cut nearly enough to make up for Alberta's structural deficit.

As people we Albertans need to start looking at our books and our desires for the future more closely. We can choose to live high on the hog now, using oil and gas revenues to pay the bills, taking a free ride, but a responsible civilization would recognize that oil and gas are finite resources and that we should be saving a significant portion of the royalties from oil and gas for future needs. The heritage trust fund should be sitting at \$100 billion, and it would be if we eliminated that structural deficit.

I confess that I don't know what the best way of increasing our revenues would be, but one way or another we need to fix our revenue problem. I applaud the two ministers I've mentioned for having the guts to raise the issue.

The Speaker: There has always been a courtesy under this section of the Routine called Members' Statements that members would actually listen to what other members said.

The hon. Member for Edmonton-McClung.

Safe Communities Initiative

Mr. Xiao: Thank you, Mr. Speaker. Today I rise to speak about an outstanding program of our Alberta government that has made a tangible difference in my constituency of Edmonton-McClung. In 2008 the former Minister of Justice, now the Premier, launched the Alberta safe community initiative, and over the past three years this program has had significant and meaningful results in improving the safety and the security of our neighborhoods.

Mr. Speaker, as you know, my constituency is located in the west end of Edmonton, and the responding police station for our constituency is located on Edmonton's south side on 51st Avenue and 97th Street. This police station is approximately 30 kilometres away from the south end of my constituency. Due to the lack of police presence the issues of safety and security had become everyday concerns for my constituents.

Thanks to the funding for the safe community initiative in September 2009 an office was established in the centre of Edmonton-McClung, in the community of Callingwood, for the southwest division neighbourhood empowerment team. This team is now raising awareness in our community about home, apartment, and auto safety. Antibullying, park watches and patrols, youth programming, crime councils, and safety groups as well as traffic safety, graffiti removal, and community spirit events are all important aspects of this NET program.

As a result of the safe community initiative my constituents are now more secure, educated, and empowered in their personal safety.

Mr. Speaker, our government has invested over \$550 million into the safe community initiative since its inception. This is an excellent example of tax dollars well spent.

Thank you, Mr. Speaker.

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

Impaired Driving

Mr. Taylor: Thank you, Mr. Speaker. Bill 26, the Traffic Safety Amendment Act, 2011, is generating a lot of correspondence to my office and, I suspect, the offices of every one of my colleagues in this House. I'm sorry to say that most of the e-mails flooding my office oppose the bill as it stands. Bar and restaurant owners are writing, protesting that this bill adversely affects their businesses. While I can empathize with that, if this bill is in the public interest, then there comes a point where you have to say:

"Look. If you can't make a go of this line of work, then you have to find another line of work."

I've always believed that when private interests and the public interest are in conflict, the public interest must prevail, although let me say again: I don't know whether this bill is in the public interest.

The constituents who are writing to my office complain that they believe Bill 26 will put them in jeopardy of draconian consequences if they have a glass of wine with dinner out or a pint of beer after a hard day's work if they get pulled over on the drive home. The other side of this coin, Mr. Speaker, is that another three young Albertans died this past weekend in a car accident in which alcohol might have been a factor.

Drinking and driving is a huge, unacceptable, and utterly preventable problem in Alberta, Mr. Speaker. As I pointed out in the House last week, there are many jurisdictions in the world that have zero tolerance, not .08 or .05 but zero tolerance, for drinking and driving and, at the same time, often have more liberal liquor laws than we do. So what we're trying to achieve can be done, and my guess is that not more than, say, 1 in 5 Albertans would disagree in principle that it should be done, but a lot of my constituents don't believe that Bill 26 is the right way to go about doing it.

I truly believe the people need a chance to weigh in on this issue. I urge the government to refer Bill 26 to an all-party committee, have the committee hold public hearings, and then bring back a revised bill for the Assembly to consider next spring.

Thank you.

Oral Question Period

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

PC Leadership Race Vote Solicitation

Dr. Sherman: Thank you, Mr. Speaker. This fall Albertans had front-row seats to a perfect display of slimy pork-barrel politics. The chief administrator of St. Paul told voters, quote, it is imperative for future funding, unquote, that their MLA remain in cabinet. This same MLA, now the Minister of Transportation, just gave \$14 million in supplementary supply funding to his own constituency. To the Premier or Deputy Premier: was this \$14 million the price Albertans had to pay to get the right results from the PC leadership race?

1:50

Mr. Horner: Well, first of all, Mr. Speaker, I find the question offensive. It besmirches the integrity of the hon. minister, and I think that in order for the hon. member to ask such a question, perhaps he should come up with some verifiable proof.

Dr. Sherman: Mr. Speaker, the only thing offensive was the activity and the allegations made in this article from St. Paul.

Given that the Minister of Transportation provided supplementary supply funding only to his constituency – and, not surprisingly, this is the same constituency that delivered 1,400 second ballot votes to elect the Premier and 1,600 votes for the Deputy Premier – how can the Premier or her deputy claim to be any different when it's this warlord-style politics that clearly put them in their positions and they did the same by rewarding the MLA with a cabinet post?

Mr. Horner: Well, Mr. Speaker, I take great offence to the comments, that are basically an attack on the integrity of my office and of the Minister of Transportation's office. I would ask for a point of order on that.

Dr. Sherman: Mr. Speaker, Albertans take great offence at how politics are done in this great province.

Given that there are many valid projects requiring funding but only those that support the governing party get first dibs on taxpayer dollars, will the deputy put an end to this slimy pork-barrel politics that makes greasing the wheels of the PC Party a requirement for government funding?

Mr. Horner: Mr. Speaker, this hon. member has a history of making allegations without proof. Today is another one. The contention that a number of votes generates a lot of investment is simply not true. In the leadership race I happened to have a number of votes cast for me in a number of other ridings, including my own. That's not to say that they're going to get any special treatment from anyone in this House. It simply means that we're the governing party. We look after the priorities of all Albertans.

The Speaker: Second Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

PC Party Benefit Plan Trust

Mr. MacDonald: Thank you. Yesterday the Minister of Justice failed to answer questions around the PC Party benefit plan trust, which has been listed for the last four years in the member's disclosure statements pursuant to the Conflicts of Interest Act. The minister yesterday could not answer, and the president of the PC Party would not answer. To the Minister of Justice: again, what is the value of the PC Party benefit plan trust?

Mr. Olson: Mr. Speaker, that's not information within my purview as Minister of Justice.

Mr. MacDonald: I disagree. It certainly is.

Again to the same minister: given that taxpayers are subsidizing the PC Party benefit plan trust, what is the amount of money provided by taxpayers to subsidize this trust?

Mr. Olson: Mr. Speaker, I am responsible for the legislation. I am not responsible for the operation or administration of this act. If the member has questions, he can ask the Chief Electoral Officer, or he can ask the Conservative Party. It's not information within my purview.

Mr. MacDonald: Unbelievable.

Now, again to the same minister: will the minister ask the president of the PC Party, the association, to release all the details of this benefit plan trust, and why is it necessary in the first place?

Mr. Olson: Mr. Speaker, I'm not about to be doing the hon. member's work for him.

The Speaker: Government House Leader, we have a point of order? Okay.

Third Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. True Blue Alberta was incorporated to be the legal vehicle for fundraising and for the payment of expenses relating to the leadership campaign of the former Premier. It had no other purpose. True Blue Alberta was investigated in 2007 under the Conflicts of Interest Act. Again to the Minister of Justice: given that True Blue Alberta had no other

purpose, why did it pay taxable allowances, over \$5,000, to the former Premier and his spouse years after the leadership race was over?

Mr. Olson: Again, a common theme, Mr. Speaker. I am also responsible for the Conflicts of Interest Act, but I do not administer or operate everything that happens under the Conflicts of Interest Act. If he's got questions, he can talk to the Ethics Commissioner.

Mr. MacDonald: Again, that's unbelievable, sir, because you are responsible under the Government Organization Act for the Conflicts of Interest Act and the Election Finances and Contributions Disclosure Act. Why will you not exercise the authority under your office?

Mr. Olson: I'm sorry. I couldn't hear the question over all the yelling.

Mr. MacDonald: Again, Mr. Speaker, to the same minister, and I will speak slowly so, hopefully, he can understand. Why was it necessary to pay the former Premier and his spouse the taxable allowances from True Blue Alberta at the same time the PC Party set up a benefit trust fund?

Mr. Olson: Mr. Speaker, this organization I have no responsibility for, I have no information about them, and if he wants, he can ask them.

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

Impaired Driving

Mr. Boutilier: Thank you very much, Mr. Speaker. The federal Liberals responded to a tragic shooting in Montreal by creating the gun registry. Although it was well intended, the gun registry did not increase public safety and trampled the freedoms of law-abiding Albertans. This government's new impaired driving law is similar. It will not save lives but will instead penalize Albertans who drink responsibly and will do nothing to crack down on drunk drivers over the .08 limit. To the transport minister: why not focus on a policy of increasing enforcement and penalties on drivers over .08 rather than passing a bill that does not address the real problem?

The Speaker: The hon. minister.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. First of all, as you know, this legislation is in the House at this particular time, but I would be very glad to answer the question in regard to the member's comments. That is, this bill is about safety on our roads in Alberta. This bill is about legislation that very much focuses on repeat offenders. This bill . . .

The Speaker: Thank you. We're not going to use question period for debating a bill that has already passed second reading and is in Committee of the Whole this afternoon.

Proceed.

Mr. Boutilier: Yeah. Thank you, Mr. Speaker. Given that it's clear Albertans want more time to analyze any policy change of the government, weighing the pros and the cons, the good and the bad, in terms of determining about enforcement and penalties on drivers over .08 we believe is a better solution. Will you do the right thing, Minister, and ask your caucus to refer this to a committee so all of the strength and weakness of this can be done and investigated so we can have a safer highway for all Albertans?

The Speaker: The hon. minister.

Mr. Danyluk: Thank you very much, Mr. Speaker. This is about safer highways, and I want to say to you that the three ministries, the Ministry of Justice and also the Sol Gen and Transportation have been working on this for a number of years. We have looked at this legislation. There are eight jurisdictions in Canada that have brought forward legislation before this province . . .

The Speaker: As I said, we're not going to have a debate this afternoon. Question on process. Go ahead.

Mr. Boutilier: Thank you, Mr. Speaker. Given the same type of federal Liberal Party rhetoric that was used on the gun registry . . .

The Speaker: No. That doesn't help at all.

Mr. Boutilier: Yeah. Okay.

The Speaker: There are to be no preambles. You know that.

Mr. Boutilier: Thank you, Mr. Speaker. Given that, since you seem unmoved by the vast majority of Albertans and many in your own caucus who do not approve of this policy change, will you at least do the democratic thing and let the Wildrose and the opposition parties have an opportunity to bring forward and fully debate proposals of stronger enforcement, of helping police make our highways even safer?

Mr. Danyluk: Well, Mr. Speaker, in the flavour of policy, the policy is that the opposition party, the third party, has every opportunity to discuss this bill. They had it in second reading, and it is now in Committee of the Whole. The opportunity is there.

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

Kyoto Climate Change Agreement

Mr. Mason: Thank you very much, Mr. Speaker. Yesterday the federal Environment minister suggested that Canada might withdraw entirely from the Kyoto protocol. While Canada has failed to take meaningful steps to reduce greenhouse gas emissions and has missed its targets by a mile, pulling out altogether would send a terrible message to the rest of the world. My question is to the Minister of Environment and Water. Does the Alberta government support the withdrawal of Canada from the Kyoto protocol? Yes or no.

2:00

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. Alberta has always said that the Kyoto protocol doesn't work for Alberta and doesn't work for Canada because it's a protocol that doesn't include all of the world's large emitters. What we say is that if there's going to be a protocol, it has to include all of the world's large emitters.

Mr. Mason: Mr. Speaker, given that such a withdrawal would remove international monitoring of Canada's emissions, including Alberta's oil sands, will the minister admit that this government simply wants to permit unchecked growth in carbon emissions without any accountability?

Mrs. McQueen: Absolutely not, Mr. Speaker. In fact, Alberta and Canada want to make sure that we have a comprehensive strategy going forward that deals with all of the global emitters and that we, in fact, with our own monitoring system here – and I'll have

the opportunity to meet with the minister. We're upping the monitoring here in Alberta. We're committed to doing more here in Alberta. We're committed to doing more as a nation but not without all the large emitters at the table.

Mr. Mason: Given that Alberta has the highest emissions per capita in Canada, amounting to 32 per cent of Canada's total emissions, will the minister admit that its measures, including the \$15 per tonne carbon tax, have been completely ineffective, and if not, will she please explain why Alberta's results are among the worst in the world?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. In fact, Alberta has been a leader in this area with regard to putting a price on carbon: the first in North America with regard to putting \$2 billion into carbon capture and storage, \$2 billion into GreenTRIP. Alberta is taking action and will continue to take action.

The Speaker: The hon. Member for Calgary-Currie, followed by the hon. Member for Edmonton-Calder.

Services for the Brain Injured

Mr. Taylor: Thank you, Mr. Speaker. Today I want to ask some more questions about support services for the brain injured. I want to thank the minister of health and the Minister of Seniors for meeting with me last week and for taking an obvious interest in this issue. But they've been busy, I've been busy, and we haven't had a chance to connect since late last week. Alberta Health Services, whose motto these days seems to be, "We're not happy until you're not happy," continues its relentless push to relocate clients who want to stay where they are. To the minister of health: will the minister please ask Alberta Health Services to hold off on moving any more of these clients at least until after the holidays?

The Speaker: The hon. minister.

Mr. Horne: Thank you very much, Mr. Speaker. As I believe the hon. member knows based on our meeting last week, I have endeavoured to get additional information from Alberta Health Services with respect to the transition of these residents. My understanding today is that all but six of those residents have moved to their new placements. There are, in fact, additional funds that have been allocated by AHS to provide more programs and services and enhance staffing levels for these residents in their new places.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. The question turns around the kinds of services that are available in one ministry versus another. To the minister again: given that the families of these clients have asked to have support services for the brain injured transferred from AHS to Alberta Seniors and given that he, the Minister of Seniors, and I are discussing whether this might be feasible in some fashion, will the minister again ask Alberta Health Services to please delay the relocations?

Mr. Horne: Mr. Speaker, the hon. member does point out that in our meeting he did raise a policy issue with us, and that is the question of the appropriate program through which these services should be provided. That is a question that we have agreed to continue to discuss. The Minister of Seniors is a part of that discussion. With respect to the relocation of the residents to which

the hon. member refers, I've said before in this House and I'll say again that I've been thoroughly assured by Alberta Health Services that the appropriate staffing and programs and services are in place.

Thank you.

The Speaker: The hon. member.

Mr. Taylor: Thank you, Mr. Speaker. To the minister of health again: since a maximum of 21 clients are involved here, given the wishes of their families and since this should be relatively easy, will the minister agree to support setting up this transfer of support services as a pilot project and instruct AHS to leave the clients in their homes while we all work out the details?

Mr. Horne: Well, Mr. Speaker, I'm in no position to make such a commitment on behalf of Alberta Health Services or anyone. The fact of the matter is that the new placements for these residents were determined through a request for proposals process that was administered by Alberta Health Services. The agency to which the hon. member refers did not bid as part of that process.

I want to continue to state that I'll work with the hon. member to address the policy questions that he's raised. I think it's a valid discussion. But as far as the transition of current residents, that matter is proceeding as planned.

The Speaker: The hon. Member for Edmonton-Calder, followed by the hon. Member for Edmonton-Riverview.

Residential Construction Safety

Mr. Elniski: Thank you very much, Mr. Speaker. In early November this government released the results of a topic very near and dear to my heart, that being a focus on safety inspections in residential construction. The numbers appear to be anything but spectacular. In fact, some other members of this Assembly have referred to them as extremely disappointing, and I would tend to agree. My first question is to the Minister of Human Services, responsible for occupational health and safety. Minister, what is your department doing to get a handle on these dangerous and potentially fatal situations?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. The member is absolutely right. The numbers of orders issued from this campaign were absolutely unacceptable. I'm not sure that I was shocked by the data because I think it's almost common knowledge that in that particular industry there are a lot of safety violations. We need to really get to the root of that, and we need to do that in a number of ways. One of the ways that we're attacking it is that we're meeting with the Canadian Home Builders' Association, and we have a good relationship with the Alberta Construction Safety Association, working through those associations and through employers to make sure that those sites are safe and that there is good knowledge and education about that issue.

The Speaker: The hon. member, please.

Mr. Elniski: Thank you again, Mr. Speaker. My second question is to the Minister of Advanced Education and Technology. With the heightened concern about safety in this industry, what is the government doing with regard to the training of residential construction managers?

The Speaker: The hon. minister.

Mr. Weadick: Well, thank you, Mr. Speaker. I would agree with this member that increased training opportunities for residential construction managers is very important. We've been working with the New Home Warranty folks as well as with the Professional Home Builders Institute of Alberta to create a training program. It has worked extremely well, and we now have training available which will enhance the safety levels in this area. We also have voluntary certification for residential construction managers.

The Speaker: The hon. member.

Mr. Elniski: Thank you, Mr. Speaker. My final question is to the same minister. Given the amount of residential construction activity and its relative importance to the province, Minister, why did you go with the residential construction manager approach as opposed to designating this occupation as a trade?

The Speaker: The hon. minister.

Mr. Weadick: Thank you, Mr. Speaker. Actually, we have designated it as a designated occupation of residential construction manager. We believe this is a very important first step forward. It will allow for that training to proceed and for certification of residential construction managers, and overall the quality of construction and training will continue to go up.

The Speaker: The hon. Member for Edmonton-Riverview, followed by the hon. Member for West Yellowhead.

PC Party Benefit Plan Trust

(continued)

Dr. Taft: Thanks, Mr. Speaker. It's time the Election Finances and Contributions Disclosure Act was amended. For example, True Blue Alberta, the company set up to support the former Premier, is 100 per cent owned by a senior partner in a law firm. This firm also receives lucrative contracts from the government. While True Blue was benefiting the Premier, the government was benefiting the sole shareholder of True Blue. To the Minister of Justice: why doesn't the government bring in legislation to limit relations like these?

Mr. Olson: Mr. Speaker, the Election Finances and Contributions Disclosure Act applies to everybody. It applies to all parties, and it allows parties to raise money. The activities that they undertake are to support their electoral success. Again, it applies to all parties equally. So I see no reason why we should have to make changes when we've got legislation in place that already does the job. It does provide for disclosure.

I think this whole issue is probably precipitated by disclosures that were made several weeks ago. That's nothing new. It's been done for a long time.

Dr. Taft: Well, let's try to improve that legislation, Mr. Justice Minister. Given that the value of government contracts paid to the firm of the sole shareholder in True Blue soared from \$780,000 in 2006 to \$1.3 million to \$1.8 million to \$2.4 million to \$2.6 million in 2010, how can Albertans know that these huge increases weren't facilitated by an inside track to the Premier's office unless there are better laws?

Mr. Olson: As I said just previously, Mr. Speaker, if there are issues of conflict of interest, we have an Ethics Commissioner

who polices that. This member can take it up with the Ethics Commissioner. That's the Ethics Commissioner's job.

2:10

Dr. Taft: Mr. Speaker, again to the same minister: given that the current governing party has a long history of arranging special funds and accounts to pay its leaders, that are exempt from legislative controls, can this minister tell the taxpayers of Alberta if there are any special funds in place to make payments to the current Premier?

Mr. Olson: Mr. Speaker, I do not answer for the Progressive Conservative Party of Alberta. That's not within my purview as Justice minister. I have no information. If the hon. member wants to ask the president of the Progressive Conservative Party, he can do that, just as he can ask the president of his own party about their finances. The rules that apply in this act are the same for everybody.

The Speaker: The hon. Member for West Yellowhead, followed by the hon. Member for Calgary-Buffalo.

Hydraulic Fracturing for Gas in Shale

Mr. Campbell: Thank you, Mr. Speaker. As I understand it, hydraulic fracturing, also called fracking, is the process of pumping fluid or gas down a well many hundreds or thousands of metres below to depths considered appropriate for natural gas production. Recently there have been calls from some jurisdictions for a ban on fracturing operations, and many of the concerns are centred around water contamination. My question is to the Minister of Energy. What is the status of hydraulic fracking in Alberta at this time?

Dr. Morton: Mr. Speaker, I'm happy to report that for this government and this Premier protecting water is the number one – number one – priority of this government. That's reflected in the strict regulatory regime that we have in place, run through the Energy Resources Conservation Board. The track record proves this. In the past 30 years 167,000 wells have been fracked. There's no proven record – no proven record – of any contamination of groundwater through that fracturing.

The Speaker: The hon. member.

Mr. Campbell: Thank you, Mr. Speaker. To the same minister. He talks about stringent rules the ERCB has in place. I'm wondering if the minister could expound on some of the rules he's speaking of.

The Speaker: The hon. minister.

Dr. Morton: Thank you, Mr. Speaker. I'll just mention one – I could mention others – and that is the stringent regulations the ERCB has around cementing casing in the top 200 or 300 metres of a well. We have the strictest regulations in North America on that. That ensures that there's an impenetrable barrier in that section of the well that prevents contamination of any of the groundwater that would occur in that area. I'm happy to report that other jurisdictions have come to Alberta, looked at that, and are copying that best practice.

The Speaker: The hon. member.

Mr. Campbell: Thank you, Mr. Speaker. My second supplemental is to the Minister of Environment and Water. With the fast pace of

growth and development and the increased use of hydraulic fracturing in the province, how can Albertans be sure that the government is doing all it can to protect our groundwater?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. As was indicated by the previous speaker, we've had tremendous success in Alberta over the past 60 years. We do recognize that shale gas is in its infancy, and we want to ensure that the system that has worked in the past will work as well in the future. For me it's important to protect our water resources while we are working with other ministries now to ensure that policies and regulations are in place to allow for responsible development activity in this area in the future.

Funding for Private Schools

Mr. Hehr: Mr. Speaker, the Edmonton Islamic Academy openly states on their website that they will not enrol students with behavioural difficulties or students with special needs. In Airdrie the Koinonia Christian school requires a confidential pastor's report before it even considers enrolling students, and in Lethbridge a Christian school states on their website that their sole purpose is to instruct their children – and get this – in the fear of the Lord. To the Minister of Education: how can you persist in defending these exclusive and elite schools when they openly state that they do not offer inclusive educational environments?

Mr. Lukaszuk: Mr. Speaker, I have been very clear over the last few days to this particular member. In Alberta parents are given choice in what schools they enrol their children in. We have a public education system that offers options, which is fully paid by the taxpayers of Alberta. We're making a great investment in education. However, some parents choose to opt out and put their children either in charter or private schools at a higher cost to themselves. They pay tuition fees, registration fees, and it costs them a great deal of money. If they choose to do that, we allow for that choice to occur.

Mr. Hehr: Given that public money funds these institutions, will the minister change the legislation to make these schools inclusive by obligating them to enrol special-needs students and students with disabilities?

Mr. Lukaszuk: Mr. Speaker, it is common that taxpayers do partially fund private schools. That is correct. Alberta Education in its commitment to all children in Alberta will fund the cost of instructing the core curriculum of Alberta. However, if schools choose to deliver additional or enriched programs, be it religion or be it any other academic programming, that's what the parents are on the hook for. There is nothing elitist about it, Mr. Speaker.

Mr. Hehr: Well, given that the Premier has openly expressed her concern over the rise of private and chartered schools, why does this government insist on committing taxpayer dollars to institutions that are not interested in offering an open and inclusive environment?

Mr. Lukaszuk: Going further, Mr. Speaker, to the second part of the member's question, if there was a situation that was to arise where a parent wanted to send a child to a private school and was ready and willing to pay whatever fees the private school has and the child had disabilities and the child was refused attendance at that school purely on the basis of the child's disability, that would

be something that my office and I personally would be interested in looking into. I am not aware of such cases right now where parents are being refused enrolment simply because their child has a disability.

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

Human Services Ministry Mandate

Ms Woo-Paw: Well, thank you, Mr. Speaker. With the recent formation of the new Human Services ministry, some Albertans are wondering about the impact of the changes. To the Minister of Human Services: what was put in place to ensure minimal disruption in vital services to Albertans in need, and how did the ministry communicate these changes to the public?

Mr. Hancock: Well, Mr. Speaker, the creation of the Ministry of Human Services, first and foremost, is not about reorganizing everything in the ministry. It's about bringing together a number of elements that are continuing to exist in government, and they will continue to exist in their present form until there's intelligent redesign to do them differently. So the public is not impacted by the fact that the Ministry of Human Services was created. We still have all the programs that were there under the former children and family services, all the programs that were there under employment and immigration. We still have Alberta Works. We still have Alberta Supports.

Ms Woo-Paw: Well, Mr. Speaker, to the same minister: how did the expanded ministry actually improve outcomes in services to Albertans who require support?

Mr. Hancock: Mr. Speaker, that's really a very important question. How can we ensure that we have a comprehensive social policy framework which has outcomes identified with respect to what Albertans want as a base level and has the optimal opportunity for every Albertan to participate? By creating a comprehensive social policy framework and making sure that all program delivery is aligned, not just in Human Services but across government and in collaboration with our community, we can achieve the outcomes we want for Albertans.

Ms Woo-Paw: Again to the same minister: how will Albertans be involved in the development of the proposed social policy framework?

The Speaker: The hon. minister.

Mr. Hancock: Well, thank you, Mr. Speaker. It's absolutely important that Albertans are involved in the development of the social policy framework. We're designing that now. In terms of how we go about engaging, first and foremost, we want to engage those people who have been actively involved in supporting individuals and assisting individuals in the community. We need to work across government to make sure that there's alignment across government and input across government but also out into the private sector as well because there are many businesses which provide services to Albertans. So we need to design that process, we need to engage the community, and it needs to be a full consultative process.

Critical Electricity Transmission Infrastructure

Mr. Hinman: Mr. Speaker, last month the Premier and the Energy minister did the right thing by abruptly ordering the suspension of two massive overbuilt transmission lines approved under Bill 50.

The companies building those suspended lines have already dramatically overspent their budget by more than \$500 million. This kind of runaway spending is not only allowed under Bill 50; it's encouraged. Companies are guaranteed a rate of return based on their expenditures. In other words, they're paid to spend money. To the Energy minister: have you sent a letter that prohibits these companies from spending more money at taxpayers' expense, or are you not even allowed to under Bill 50?

Dr. Morton: Mr. Speaker, the hon. member is speculating about things he knows nothing about. We're in the process of setting up a committee that will review Bill 50 and the AESO recommendations, and we're continuing on that plan.

Mr. Hinman: It's clear that he knows nothing about it.

To the same minister. We have been told that more than \$600 million has been spent on these projects when they're only authorized by AESO to spend \$100 million. Is this accurate, and if so, will the ratepayers be on the hook or these overspending companies? Be honest.

Dr. Morton: Mr. Speaker, he can pull out those numbers he's been told by somebody. Who has he been told by? Those speculative questions don't get answers in this Chamber.

2:20

Mr. Hinman: Where do they come from, then? It is unbelievable how disconnected you guys are.

Given your government's apparent death-bed conversion on the ill-advised transmission lines you know that they need to be downsized or even cancelled altogether. Will you accordingly insist that the companies immediately cancel contracts related to this overbuild so that ratepayers are only on the hook for a couple of hundred million rather than a billion plus? When is it going to stop?

Dr. Morton: Mr. Speaker, for the fifth or sixth or seventh time: we are proceeding with a review of the two north-south transmissions with a committee that will review all of the issues that they're concerned with.

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

Registry Service Fees for Municipalities

Mr. Kang: Thank you, Mr. Speaker. In what can almost be described as a comedy of errors, this government imposed a \$15 motor vehicle licence information fee on municipalities and police in last year's budget, without warning, then abruptly postponed the fee's implementation until September, and then announced a further and indefinite suspension of the fee on the eve of its new implementation date. To the Minister of Service Alberta: are you presently in discussions with the municipalities and the police about the suspended fee, sir?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you very much, Mr. Speaker. I'm very pleased to take my first question from the member opposite. Let me be very clear. On this side of the House we listen to our municipalities; we work with them. They raised concerns. We have cancelled the fees, and if we are to move forth with any sort of fees, we will consult with them beforehand because they are partners with us and our government.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. My next question: is it still your intention to reintroduce the fees in the 2012-13 budget?

Mr. Bhullar: Mr. Speaker, the budget is forthcoming. However, it is not the intention of my ministry to bring forth any fees without consulting with the municipalities. If the hon. member would like, he can pick up the phone and call an alderperson in Calgary or pick up the phone and call the mayor and ask if they've been consulted. If the answer is no, then my answer is no, hon. member.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. To the same minister again: if the fee is absolutely off the table now, please explain how you intend to make up the forfeited revenue, and if it can be absorbed fairly easily through other means, why was it deemed a necessity in the first place?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. Let me be clear. Service Alberta provides a very important service to our police services and our municipalities every single day by running that registry. There is a very significant cost to running that registry system. At present we the government of Alberta, the taxpayers of Alberta, pay for that, and we are proud to provide that service to our police services and our municipalities.

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

Private Registry Service Fees

Mr. Allred: Thank you, Mr. Speaker. The hon. Minister of Service Alberta gave such a good response to that last question that I'm going to ask him another one. Last year the cost of filing a corporate annual return was \$21 from the registry offices. This year it is \$51. That is a 243 per cent increase in a single year, and I understand that the \$30 increase is all a government increase and not a registry fee increase. My question is: what is the justification for such a huge increase to file a one-page document?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. It's Service Alberta day in the Legislature today. I'm very proud.

Mr. Speaker, the fact is that before this last year's budget there was zero fee recovered by Service Alberta. The \$21 was a fee for the registry agents. So it's an exercise in cost recovery. It's very important for me to note that our price for filing a corporate return is still 42 per cent below the national average. We are still a leader in supporting our businesses.

The Speaker: The hon. member.

Mr. Allred: Well, thank you, Mr. Speaker. My second question to the same minister: given that the promises that have been made for several years now to review the fees for registry agents have not been granted, why has the government taken this opportunity to increase their own fees so drastically?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. The fact is that the fees better reflect the cost of providing the service. It's that simple. It was a decade, ten years, since the fees went up, and the costs have more than doubled during that period of time. Alberta has competitive fees. Another example of that is that we have the lowest incorporation fees of any province in Canada.

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker. My final question again to the same minister: given that a registry financial analysis and fee model development report was completed in March 2011, what action has the ministry taken to address the concerns of registry agents?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. I actually had a very productive and positive meeting with the agents' association yesterday. The fact is that in 1994, when the model was developed, we had 4.2 million transactions and a population of 2.6 million. Today we have a population of 3.5 million with 8.1 million transactions per year. That's nearly a 93 per cent increase. We have a very positive relationship with the association, and we as partners will ensure that Alberta has the best service for our citizens.

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

Lubicon Lake First Nation

Mr. Chase: Thank you, Mr. Speaker. This government is all about words and promises, but inaction remains its trademark. A 2010 Amnesty International report states that the Lubicon nation in northern Alberta have "disproportionate numbers of miscarriages, stillbirths and other maternal concerns" as well as "high rates of . . . suicide." To the Minister of Intergovernmental, International and Aboriginal Relations: given these grave health problems, which include residents suffering from industrial pollution, when will the minister stand up for aboriginal rights and carry out a health investigation?

Mr. Dallas: Thank you for the question, hon. member. Mr. Speaker, the declaration that the member refers to is actually a declaration amongst countries around the world. Canada is a signatory to that. It's not an issue for Alberta.

The Speaker: The hon. member.

Mr. Chase: Thank you, Mr. Speaker. First Nation, second-class citizen, Third World treatment. How can you affirm working in collaboration with First Nation communities when the Lubicon Lake nation still do not have running water and sewage facilities in 2011?

Mr. Dallas: Mr. Speaker, the Lubicon people are very important to Albertans. They have some very significant challenges, that we all work together as Albertans, as Canadians to address. The Lubicon people have had negotiations over a long period of time with our federal counterparts, and those continue today.

Mr. Chase: Mr. Speaker, it's unfortunate that the ping-pong game with the Lubicon ball continues.

Given that in July 2011 an oil spill caused irreparable damage to the Lubicon nation's territory, how can this provincial government justify its failure to help the Lubicon rehabilitate their affected Alberta land?

Mr. Dallas: Well, Mr. Speaker, I suppose I could defer to one of my colleagues that could comment on the remediation work that's been done there, but I understand that that work has been completed and satisfactorily.

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

Early Childhood Education

Mr. Fawcett: Thank you, Mr. Speaker. During the Progressive Conservative leadership race the Premier talked about implementing universal full-day kindergarten. Many people see universal full-day kindergarten as nothing more than glorified daycare, fully funded by the taxpayer with very little incremental education value for most five-year-olds. My question is to the Minister of Education. Does the minister support the implementation of universal full-day kindergarten as an expensive program when most school boards already fund full-day kindergarten available to those students who most need it?

Mr. Lukaszuk: Well, Mr. Speaker, this member may have more recent memories of kindergarten than I do, but I will tell you that there is a big difference between a kindergarten and daycare. Daycare is a phenomenon in North America that came about as a result of increased divorce rates and both parents working. They have no educational requirements as opposed to an early intervention program, that, indeed, was shown over time to have positive effects on a child's cognitive development.

2:30

The Speaker: The hon. member.

Mr. Fawcett: Thank you, Mr. Speaker. Given that the government already funds half-day kindergarten, does it make sense to implement universal full-day kindergarten for all students when most evidence suggests that only a small percentage of students actually derive any educational benefit from attending full-day kindergarten versus the half-day already delivered by this government?

Mr. Lukaszuk: Well, Mr. Speaker, I will have to differ with this member on evidence. As a matter of fact, evidence goes as far as the early 1800s with the Montessori program and then the Head Start program in the United States, and they do show positive effects on a child's development. [interjection] However, the Member for Airdrie-Chestermere obviously didn't benefit from one of them because he can't pay attention, listening for less than 30 seconds. I will answer that question in my next supplemental.

The Speaker: Well, we're not going to have a debate. We're going to deal with policy.

Go ahead, sir.

Mr. Fawcett: Thank you very much, Mr. Speaker. Wouldn't it make more sense to utilize resources in a more concentrated and specific way such as creating a social innovation fund targeted at early childhood development, much like the safe communities innovation fund that was implemented by this Premier as Justice minister, rather than being trapped in the old paradigm of universal programming?

The Speaker: Well, if it's policy you're aiming to deal with, proceed.

Mr. Lukaszuk: Well, Mr. Speaker, that is a fair question, and that is exactly what we're looking at. We're asking all Albertans to share with us what their view is. Do they want full-time kindergarten? Do they want part-time? Do they want it mandatory? Do they want it optional? Now is the time to discuss this, and we will probably get some good, solid answers from not only educators, not only parents, not only experts but Albertans, students and others, who now have a forum through which they can contribute on this particular issue.

The Speaker: The hon. Member for Calgary-Mountain View, followed by the hon. Member for Calgary-Foothills.

Emergency Medical Services

Dr. Swann: Thank you, Mr. Speaker. An excellent emergency medical service in Alberta was arbitrarily ripped from municipalities to Alberta Health Services in April 2009. Alberta EMS was considered among the top 5 per cent of services in North America before the change. Alberta Health Services promised the transition would improve quality and efficiency. Well, current staff morale is at an all-time low across the province according to workers in the field. To the minister: what are the indicators that the EMS transition has been a success? What are we getting for \$219 million?

Mr. Horne: Well, Mr. Speaker, I don't have a lot of details at hand about the transition to which the hon. member refers. I'd be pleased to get him some more information down the road. What I can tell you is that the culture within the system and particularly among EMS providers has in my view improved considerably in the last few months.

Dr. Swann: Well, I would challenge the minister, then, to do a survey, as Dr. Duckett did, and actually find out what the morale is.

Given that there used to be weekly reporting of EMS response times, why have you stopped measuring response times and performance since 2009?

Mr. Horne: Well, Mr. Speaker, if the hon. member is referring to a performance reporting exercise undertaken by Alberta Health Services, I can certainly attempt to provide him with some information about that. The other alternative is for the hon. member to ask AHS on his own. I would submit to you that emergency medical services workers take the same tremendous pride in their work as all other partners in the health care team. Response times are among the highest indicators of their performance. As well, their integration with other members of the health care team, their ability to have input, responsibility in day-to-day decisions, which has been a focus of AHS management, is another important feature . . .

The Speaker: The hon. member, please.

Dr. Swann: Well, the minister is right. Response times are the best indicators of emergency response. Why aren't they measuring them and reporting them? Given that soaring overtime costs now in EMS have meant that Edmonton has been down as many as 10 ambulance units at a time, what assurance can the minister offer Albertans that emergency services will be there when they need them?

Mr. Horne: Well, Mr. Speaker, with all due respect to the hon. member, I don't have any direct knowledge that, in fact, AHS is

not reporting and monitoring response times in the system. I would be very surprised if that was the case. As I said, I'd be pleased to get him some additional information on this and provide it outside of question period.

International Medical Graduates

Mr. Webber: Mr. Speaker, a couple of weeks ago in Calgary I had the opportunity to sit in on a presentation from the Alberta International Medical Graduates Association. This association represents doctors who graduated from World Health Organization accredited medical schools around the world, and they are now living here in Alberta. I was enlightened by the frustration expressed by this association on how difficult it is to get into residency programs. My first question is to the Minister of Health and Wellness. Why are there not more spaces available in medical residency programs when there are international doctors that can fill them?

Mr. Horne: Well, Mr. Speaker, in fact, both our medical schools are addressing residency issues at this time, and they are both working to increase their capacity. I can tell the hon. member that since 2004 the number of international medical graduates in residency training has doubled, from 21 to 42, and while that program has been growing, so has the number of domestic seats in our medical programs. All these people, of course, need residency spots, so we've been working with the universities to ensure that there are more available, but I must tell the hon. member that our first priority is to ensure domestic students can complete their medical training.

The Speaker: The hon. member.

Mr. Webber: Thank you, Mr. Speaker. My next question is to the Minister of Advanced Education and Technology. Now, assuming that these doctors are able to find residency positions here in Alberta, are there programs in place to help them with their language and their social barriers and training opportunities for them to one day serve Albertans as medical doctors?

The Speaker: The hon. minister.

Mr. Weadick: Well, thank you, Mr. Speaker. The member hits the nail on the head. Language barriers can be critically important for people within the medical field. Under the health workforce action plan there are programs available through both the University of Alberta and the University of Calgary to help international doctors to bring their language skills up to a level where they can meet the Canadian medical practice standards. We believe it's important. We'll continue to work with these partners to ensure that international doctors can get the language training so that they can meet the requirements and practise medicine here in the province.

The Speaker: The hon. member.

Mr. Webber: Okay. Again to the same minister: now, what if an international student comes to Alberta halfway through their residency program from another country? Can we accommodate them at our universities so that they can finish their program here?

Mr. Weadick: Well, that too is a very good question, Mr. Speaker. Some universities have articulation agreements with other schools, which makes it much easier to transfer in mid-program. For other schools there's a requirement to apply to the university of your choice, apply to the program, and then have that reviewed so that

you can see how you'd fit within the program. We want all of our medical students to be successful in their programs so that they can practise here in Alberta.

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

Health Accord Negotiations

Mr. Johnston: Thank you, Mr. Speaker. Last week our minister of health joined other provincial and territorial health ministers in a health summit that addressed a number of health issues facing Canadians today. My questions are all for the minister of health. The health accord with the federal government will expire in 2014. Can you please explain Alberta's position on these discussions?

The Speaker: The hon. minister.

Mr. Horne: Thank you, Mr. Speaker, and thank you to the hon. member for the question. Last week, in fact, the federal, provincial, and territorial ministers did meet. While there were not detailed discussions on the 2014 health accord, we did have a very good discussion as ministers about what we thought should be the focus of that accord. We talked at length about an accord focused on population health outcomes, about improvements to the health system, and about other areas that we know are of common interest to all Canadians.

Mr. Johnston: During the discussions at the health ministers' meetings in Halifax were there any specifics raised around funding or terms of the next agreement?

Mr. Horne: Well, Mr. Speaker, a number of provinces and territories expressed some initial views on details of the future health accord, but what I would advise the hon. member is that those detailed discussions, in fact, take place among the Premiers, and Premiers will meet in January as the Council of the Federation, where they will consider those sorts of questions and others.

Mr. Johnston: I understand that Alberta will be joining the Health Council of Canada. Can the minister explain Alberta's rationale for joining this group?

Mr. Horne: Well, Mr. Speaker, I was very pleased to announce at this meeting that Alberta will in fact join the Health Council of Canada. The council was created in 2003 and is a partnership of the federal, provincial, and territorial ministers of health. Among the benefits of joining are, of course, the opportunity for Alberta to build strategic partnerships with other jurisdictions, to share some best practices, particularly some of our knowledge and experience here in Alberta with initiatives such as the electronic health record, and also to learn about what other provinces are doing. The council is also committed to reporting to Canadians on progress on issues of common interest.

The Speaker: Hon. members, that concludes the Oral Question Period for today. Nineteen members were recognized, 114 questions and the responses.

There is a request from the Minister of Sustainable Resource Development to amplify an answer given in the House yesterday. I will recognize him to do that, and our policy is, then, that the person that raised the original question to him will have an option to raise an additional question.

The Minister of Sustainable Resource Development.

2:40 Gravel Extraction Management

Mr. Oberle: Thank you very much, Mr. Speaker, for the opportunity to rise and clarify an answer I gave in question period yesterday. Yesterday, in addressing a question from the hon. Member for Edmonton-Centre first directed at the minister of environment and then supplementally to me regarding gravel and groundwater and concerns surrounding those, I answered the question to the hon. member by indicating that SRD has no outstanding recommendations with the Auditor General.*

That's clearly not a fair statement of the situation, I must say, Mr. Speaker. In fact, we have three outstanding recommendations with regard to reforestation. The work in my department is implemented. We're awaiting a follow-up audit. We have four outstanding recommendations with respect to sand and gravel, the issue that the hon. member was concerned about. We've taken action on those, and we are also awaiting a follow-up audit, which probably won't happen till 2012.

Given that information, Mr. Speaker, that clearly would indicate that those are still outstanding and that I spoke incorrectly in the House. My answer was short and curt and was not fully respectful of this Chamber or of the hard-working Member for Edmonton-Centre. I apologize to this House and to that hon. member for the answer, and I hope I've clarified the situation today.

Mr. MacDonald: Thank you very much, Mr. Speaker, on behalf of the hon. Member for Edmonton-Centre I would like to thank the hon. Sustainable Resource Development minister for his clarification and correction today.

Thank you.

Notices of Motions

The Speaker: Hon. Government House Leader, is there a motion?

Mr. Hancock: Yes. Thank you, Mr. Speaker. I'd like to give oral notice of two motions, the first motion reading:

Be it resolved that the following change to the Standing Committee on Privileges and Elections, Standing Orders and Printing be approved: that Mr. Zwozdesky replace Dr. Brown.

The second motion is:

Be it resolved that the Legislative Assembly concur in the Select Special Information and Privacy Commissioner Search Committee report and recommend to the Lieutenant Governor in Council that Jill Clayton be appointed Information and Privacy Commissioner for the province of Alberta for a five-year term commencing February 1, 2012.

Tabling Returns and Reports

Mr. Liepert: Mr. Speaker, yesterday a question was asked by the Member for Edmonton-Riverview. Part of that question was: what rules are in place to govern the activities of AIMCo managers? I would like to table today the appropriate number of copies of the code of conduct and ethical standards of AIMCo.

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

Mr. Hehr: Thank you, sir. I have a few tablings today. The first one is from the Airdrie Koinonia Christian school. It shows the confidential pastor's report that parents are obliged to fill out, and one of the questions on there is whether they've accepted Christ as their Saviour.

I do note, too – this is from a school in Lethbridge currently receiving taxpayer dollars to run their school – where it says, “The

purpose of our school is to assist parents in their God-given duty to instruct their children in the fear of the Lord.”

Here is another copy of the speech of the debate from this summer from the PC leadership convention where she indicated that she was concerned about the growth of private and charter schools.

Tomorrow I will table the reference to the Islamic school that is not having disabled children or special-needs students at their school.

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

Mr. Taylor: Thank you, Mr. Speaker. I have five tablings today, all on the same theme. These are all pieces of correspondence from constituents regarding their opposition to Bill 26 as it stands now. I am tabling correspondence from Bob Jonathan, Vivien Jonathan, Richard Ritz, Marcie Turpin, and Janice Wood.

Thank you, Mr. Speaker.

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

Mr. Mason: Thank you very much, Mr. Speaker. I'd like to table the appropriate number of copies of a petition signed by 321 Albertans asking the Legislative Assembly to pass Bill 208, the Health Statutes (Canada Health Act Reaffirmation) Amendment Act, 2011, which is sponsored by me.

Thank you, Mr. Speaker.

The Speaker: Hon. members, we have two purported points of order.

The hon. Deputy Premier.

Point of Order Imputing Motives

Mr. Horner: Thank you, Mr. Speaker. This afternoon during question period the hon. Leader of the Official Opposition I believe contravened our Standing Order 23(h),(i), and (j) by imputing the false motives of another member, in fact several members of this House, including the Premier of this government. He used allegations against a member based on a newspaper article that the hon. member had, I'm assuming, read around a town official sending an e-mail out to solicit votes, and then insinuated that by a solicitation of those votes it actually rewarded them with a \$14 million sum of money.

Mr. Speaker, I've taken the liberty of doing a very little bit of homework and have looked at our supplementary estimates. On page 61 of the supplementary estimates, transfer of voted appropriations, we find the \$14 million amount that the hon. member had referred to. That amount relates to the annexation and creation of an improvement district in the Cold Lake region, the air weapons range, which was brought up in this House. I distinctly remember it being discussed.

There was a memorandum of understanding between the various counties, an understanding regarding the adjustment of the boundaries between the city of Cold Lake, Lac La Biche, and the municipal district of Bonnyville. Included in the MOU was a provision that the government of Alberta would provide capital contributions to Lac La Biche county for infrastructure projects due to funding shortfalls arising from the MOU based on the agreement which all parties had agreed to.

Mr. Speaker, the e-mail that the hon. member referred to was dated September 22. The MOU, I believe, was signed somewhere around September 8. It's an impossibility to link the two together.

*See page 1389, left column, paragraph 6

I believe that the hon. Leader of the Official Opposition for political reasons made and imputed false motives to the Premier, to myself, and to the current Minister of Transportation by trying to link these things together during question period. I believe that he is liable under those three sections.

Thank you.

The Speaker: The acting opposition House leader.

Dr. Taft: Yes. Thank you. That's a nice title. Thank you very much.

First of all, I want to point out to the Assembly and to the Speaker the information that the opposition leader was relying on. It was a widely reported account. It's very clear in the information what the town official in question wrote, and it's quoted at length here.

Anybody can vote how they want, however, in order to keep Ray in a ministry position, either Horner or Redford have to get in as premier. Therefore, on the next ballot we would have to vote for either Horner as our #1 pick and Alison Redford as our #2 pick.

And then it goes on.

It is imperative for future funding that Ray remains in a powerful position.

That was widely confirmed and never denied.

The nature of the question was such that after referring to this quote by the chief administrator of St. Paul, the Leader of the Opposition asked a question. I have it right here, as the Speaker does, and I'm assuming for my purposes that the Official Opposition Leader followed the script. The script was, "Was this \$14 million the price Albertans had to pay to get the right results from the PC leadership race?" Then it goes on to two more sets of questions.

Now, in the interest of harmony here I think the Deputy Premier has been able to provide some further information that he had access to concerning the timing of the MOU and the e-mail. Given that further information, I'm going to take the liberty on behalf of the opposition leader to acknowledge that correction and withdraw any offence that was offered.

Thank you, Mr. Speaker. I hope that suffices.

2:50

The Speaker: Hon. members, I appreciate the position put forward by the hon. Member for Edmonton-Riverview. Words such as "slimy pork-barrel politics," "warlord-style politics," "slimy pork-barrel politics" again, and "greasing" and tying it together with innuendo are totally inappropriate for utilization in the Legislative Assembly of Alberta. They violate all of our rules with respect to casting aspersions. They violate *Beauchesne*, page 409(7). They violate the *House of Commons Procedure and Practice* on page 502. I appreciate that withdrawal. There would have been a point of order. There would have been a request for withdrawal. But that's now been dealt with.

I sincerely hope that between today and tomorrow the hon. Leader of the Official Opposition will actually take some time to do some editing. He's a learned man. He's an educated man. He's a university graduate. He's educated in the English language. He knows how beautiful the English language is, how definitive the words are, how many words there are, how one can create prose to have the same effect without using real gutter phrases that take away from the dignity of this Assembly.

All right. The hon. Government House Leader.

Point of Order

Questions about Political Party Activity

Mr. Hancock: Thank you, Mr. Speaker. I rose on a point of order earlier today during question period when the hon. Member for Edmonton-Gold Bar was asking questions to the hon. Minister of Justice and Attorney General. There was a series of questions of which all, in my view, offended today the provisions of the *House of Commons Procedure and Practice*, second edition, page 503, which require that the questions address matters that are within the purview of the minister and within the administrative responsibility of the government or of the individual minister addressed, on page 502, and, on page 504, cannot concern internal party matters or party or election expenses.

There's a very important, I think, rule that we need to have understood in this House. The hon. member knows this rule because you admonished him on this rule on an earlier date with respect to a similar series of questions. He came back to the House and asked questions which he managed to frame in a way that dealt with an act which came under the purview of the Minister of Justice and Attorney General, although in my view barely, in terms of getting his questions in, but then today reverted to his old, bad habits of asking questions which were outside the rules with respect to things which came under the purview of the Minister of Justice and, indeed, things which were internal party matters.

Now, I can understand the hon. member's reason for wanting to ask some questions, but clearly he's been in this House long enough to understand the rules and understand that it's not within the Minister of Justice's purview to answer questions about things that he does not have information on at hand and to answer questions with respect to party matters. If there are questions with respect to election finances in terms of monies that have been raised, those are questions which ought to be directed to the Chief Electoral Officer, who collects financial reports and does audits as an officer of the Legislature. That's the appropriate purview. If there are questions about what should be in legislation or about policy, that might be an appropriate question for the House.

But, again, there's nothing in the election expenses and finances act which controls the spending of political parties. Every political party can utilize the funds that they raise for their appropriate political purposes, and there's nothing in the legislation which curtails that. Therefore, a question about party spending under the guise of the Election Finances and Contributions Disclosure Act is out of order.

Mr. Speaker, I think we should be definitive and clear on this point because it comes up time after time, and it's certainly coming up in this circumstance. If the hon. member has queries about something which was disclosed in a member's disclosure statement, that's a question for the Ethics Commissioner. If the hon. member has a question about legislation and length of legislation, that could go to the appropriate minister. If the hon. member has a question about how a party spends their money, quite frankly, it's none of his business.

The Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. Certainly, I listened with interest and disbelief to that from the hon. minister. The purview of the Minister of Justice would be the first thing that I would like to address, and I would draw to the attention of the House and the hon. minister the order in council from October 12, 2011, which is issued under the authority of the Government Organization Act and comes from the President of

Executive Council. It states that “the Minister of Justice and Attorney General continues as the Minister responsible for the following enactments,” and it gives you a long list, including the Conflicts of Interest Act, which is where my questions were directed today. They were obviously directed there yesterday. I was encouraged yesterday, in my view, to seek additional information, which I was disappointed was not provided again today.

Now, the Conflicts of Interest Act is, of course, under the purview of the Minister of Justice. I have every right to ask that question. It’s only last week, Mr. Speaker, that you were pleased – pleased – and I can quote from *Hansard* if you would like. I believe in this matter I will. It’s in *Hansard* on 1233, November 22, 2011. “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.”

This is a document that’s under the purview of the Minister of Justice. It was tabled here last week. In this report if you look at page 9, you will see the disclosure process from the Ethics Commissioner regarding private disclosure forms for all 83 members. It goes on to talk about other things, but in the time that I have, it’s these disclosure statements which were the basis of my questions today.

I also had questions relating to True Blue Alberta Ltd. and a report to the Speaker of the Legislative Assembly on the investigation by the former Ethics Commissioner into allegations involving the Premier, the former Minister of Health and Wellness, who is the current Minister of Human Services, and a former Minister of Finance. It may be a sensitive document to the hon. House leader. He’s shaking his head. This is information that was put before this House, and it’s True Blue Alberta Ltd.

True Blue was incorporated to be the legal vehicle for the fundraising and for the payment of expenses relating to the leadership campaign of the former Premier. It had no other purpose. My question today, Mr. Speaker, was: if it had no other purpose, why then was it used to have these taxable allowances paid in two separate years to the former Premier and his spouse? If I don’t have the opportunity to ask those questions in this Assembly to the minister responsible for the Conflicts of Interest Act, I don’t think democracy is well served.

Now, as for the Election Finances and Contributions Disclosure Act, if we go back, Mr. Speaker, to the order in council that was issued on October 12, 2011, by the President of Executive Council, there’s another section in here that designates – and the Minister of Justice is a very, very busy minister. There’s no doubt about that. There are a lot of statutes that are involved in this.

This is what the Government Organization Act has to say specifically about the Minister of Justice and Attorney General and the Election Finances and Contributions Disclosure Act in (2). “The Minister of Justice and Attorney General is designated as the Minister responsible for the following enactments,” and fourth on the list is the Election Finances and Contributions Disclosure Act. So the minister is clearly responsible, and he has the authority. I can’t understand why this government would be interested in abdicating responsibility and authority for those acts. Those are under the hon. gentleman’s control, and he should stand up and answer those questions.

3:00

Now, in conclusion, Mr. Speaker, I would like to point out *Beauchesne* 410(5): “The primary purpose of the Question Period is the seeking of information and calling the Government to account.” That’s my job as Official Opposition. I’m sorry if any

hon. members are offended by that, but that’s my job, and I try to do my job. Also, 410(6): “The greatest possible freedom should be given to Members consistent with the other rules and practices.” So there’s leeway here.

I really don’t think that there is a point of order here. I just can’t understand why the hon. Government House Leader would bring this matter up about True Blue Alberta. This certainly is a matter of public interest. We have a benefit plan trust that has been provided in the four years that these disclosure statements have been made. There is mention of the benefit plan trust, and in two of those disclosure statements, in two of those years, there is specific mention of these taxable allowances. If I’m reading this correctly, they are over \$5,000 in value, and taxpayers, who are subsidizing this system potentially, particularly with the PC Party benefit fund trust or whatever you want to call it, have every right – every right – to know.

I think they would want me to ask these questions. I’m sure, Mr. Speaker, that they’re very, very disappointed that we are not getting the answers that we should on behalf of taxpayers from the hon. members across the way.

Thank you.

The Speaker: Any additional comments to be made by anyone with respect to this?

Hon. members, there seem to be two things at play here. Will the skill with which the question is written allow the question to be asked one day that may not have been asked the day before? Last Thursday, when I intervened, I said no, that the words of the question were such that they were not warranted under the rules that we have, particularly with those dealing with internal political party matters.

I do believe that that was the correct assessment. I do believe that quotations were given by the chair, and the chair also challenged the hon. Member for Edmonton-Gold Bar, who said that he disagreed. Well, fine. He disagrees with everything, it seems. But I also asked him to come back on Monday to give me some citations. They did not arrive, so I’ll deal with that one.

Yesterday the questions were written in such a way and posed in such a way that the chair did not intervene. Today the questions were posed, and the chair did not intervene, but the Government House Leader did intervene with respect to the questions at hand. What is really odd about this is that the report in question is issued by the Ethics Commissioner, who is a legislative officer of this Assembly. The document in question is the disclosure statement that was issued on behalf of everybody – there are about three pages that define what all of us disclose – and certainly under the one of the former Premier there is a certain section in that public disclosure that basically says Progressive Conservative Party of Alberta and for the usage that has already been explained, the benefit of that.

Then the questions come today, and the hon. Member for Edmonton-Gold Bar basically says:

What is the value of the PC Party benefit plan trust?

That’s the question that was given to the Minister of Justice and Attorney General. The Minister of Justice and Attorney General said:

That’s not information within my purview as Minister of Justice.

And the hon. Member for Edmonton-Gold Bar said:

I disagree. It certainly is.

He goes on to say:

Again to the same minister: given that taxpayers are subsidizing the PC Party benefit plan trust, what is the amount of money provided by taxpayers to subsidize this trust?

The hon. Minister of Justice goes on to say:

Mr. Speaker, I am responsible for the legislation. I am not responsible for the operation or administration of this act. If the member has questions, he can ask the Chief Electoral Officer, or he can ask the Conservative Party. It's not information within my purview.

Then the hon. Member for Edmonton-Gold Bar goes on to say: Unbelievable.

Now, again to the same minister: will the minister ask the president of the PC Party, the association, to release all the details on this benefit plan trust, and why is it necessary in the first place?

The minister basically then says:

Mr. Speaker, I'm not about to be doing the hon. member's work for him,

at which point the Government House Leader said that he had a point of order.

I don't know how a minister would know what is the value of the PC Party plan trust, and I don't know how that is part of his purview as Minister of Justice, which he answered quite correctly. Despite the fact that the Member for Edmonton-Gold Bar said that he disagrees, that it certainly is, I don't know how that makes it any different.

The subject matter itself has to be dealt with someplace. We do have an Ethics Commissioner. The Ethics Commissioner issues this document, and he has this information, and all 83 of us are identified. If the expectation is that one minister of the Crown is supposed to be cognizant to know what the assets are of the hon. Member for Edmonton-Gold Bar or the hon. member for anywhere else and that he's supposed to have that at his fingertips, then that may be more, I think, than would normally be expected. Now, I think that the hon. Ethics Commissioner as an officer of the Legislative Assembly might be contacted by the hon. Member for Edmonton-Gold Bar.

If it has something to do with the act – it has to do with amendments; it has to do with policy statements of the act – okay; that's fair game. The minister has got to deal with that. But I don't know how he's supposed to have that kind of knowledge. If the expectation is that he should, then that is really quite a remarkable conclusion. If a minister is supposed to know what the Ethics Commissioner does, writes, and publishes and know every line on that document, at his fingertips, that's quite a remarkable conclusion. Quite a remarkable conclusion, how anybody would ever have that knowledge before them.

Importantly, there also is another mechanism, and it's called the Legislative Offices Committee, which is an all-party committee which all of the legislative officers have to appear before. It's all-party members that are there. They can ask the man to come in – in this case it is a man – and ask him to review this with them. We also know that if matters are referred to the office of the Ethics Commissioner or any other legislative officer, these matters should not be raised in the Assembly pending an investigation by these legislative officers.

It's one of those matters that I certainly, you know, can see the Member for Edmonton-Gold Bar – and I applaud him for his aggressive nature. He gets up in the morning, and he's looking under everything to try and find a question. He spends a lot of time trying to put it together. One day he's on it, and the next day he's coming right back again. That is his job. That is his job. Members on the government side shouldn't be overly sensitive about that type of question.

There has to be a way of dealing with this that's realistic. I just don't know how somebody can get mad at a minister because he doesn't have 249 pages of 20 lines in front of him to go through.

The 83 times three is 249 pages. And I've looked at these public disclosure statements and all you have. There are about 20 lines on each page. How is he or she supposed to have that at their fingertips at any given moment?

Let's just try and make sure we can use the words that we have, again, to basically get to seek the information that we need.

3:10

Orders of the Day

Government Bills and Orders

Second Reading

Bill 27

Appropriation (Supplementary Supply) Act, 2011 (No. 2)

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

Mr. Horner: Well, thank you, Mr. Speaker, and thank you for that eloquent dissertation and education for us on those points.

It is my pleasure to move second reading of Bill 27, the Appropriation (Supplementary Supply) Act, 2011 (No. 2).

The supplementary amounts provided by this bill reflect the fiscal picture outlined in the second-quarter fiscal update, released on November 21. These amounts are necessary for the government to conduct business and fulfill its commitments during the current fiscal year. The additional amounts are mainly related to assistance for disasters and emergencies such as forest fires and floods as well as funding increases to core services like education, Mr. Speaker, which we all believe is extremely important. It is important to note that funding to assist Slave Lake and surrounding communities to recover from this year's devastating fire accounts for approximately \$234 million of the total supply estimates.

I urge my colleagues in this House to support this very important bill. Thank you, Mr. Speaker.

The Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. It's a pleasure to get an opportunity to speak on the government's supplementary supply bill. Certainly, I had an opportunity – actually, it was last week – to sit in on the second-quarter update. I've been concerned for quite some time about this government's spending habits. It was very symbolic, hon. members, to witness the Deficit Twins, the Minister of Finance and the President of Treasury Board, delivering the second-quarter update. I thought to myself while I was sitting there listening to the hon. gentlemen how different it was with their first-quarter update, when we only had one minister in charge of both departments.

Mr. Liepert: That's a stretch.

Mr. MacDonald: No. I know he's tall, but it's not a stretch.

The hon. Member for Vermilion-Lloydminster, when he was President of Treasury Board, also filled in as Minister of Finance, and to my delight taxpayers didn't notice that there was one individual doing the job of two. This went on all summer long. It's no disrespect to the current Minister of Energy, who formerly had the job, but certainly taxpayers didn't notice that he had resigned and run for the Progressive Conservative leadership. So the hon. Member for Vermilion-Lloydminster was doing the work of the current two ministers.

Mr. Liepert: It wore him out.

Mr. MacDonald: No, it didn't wear him out. He's just having a rest. Whenever Muhammad Ali gets tired, he goes to the corner, too, and that's just where he is at the moment, in the corner.

Now, certainly, we look at the current relationship, and I'm not surprised whenever the Premier – and we looked at this a little earlier in the discussion on a purported point of order. It's the order in council that set up this government, and the Premier, I think, in discussion with her inner circle in the Premier's office set up the organization of government. It's quite interesting when we get to the Finance department, Mr. Speaker. I'm just going to find it here. If you'd have patience with me, I would appreciate it. It's quite interesting what they have done. It's not like they put the Minister of Finance on a leash. I think the individual is on a choke chain here.

Now, the responsibility for the following enactments is transferred to the Minister of Finance.

There's a long list, again, of statutes, and they're all important. Horse Racing Alberta has been moved into the Minister of Finance's department under his responsibility and control and authority.

It goes on here, but what I noticed – and this is a change – is that in the finance and enterprise grant regulation these powers, duties, and functions are transferred to the common responsibility of the Minister of Finance and the President of Treasury Board and Enterprise. I thought automatically that the Premier's office and the Premier were putting the Minister of Finance on a very short leash by making him go to the President of the Treasury Board to get a cheque signed because if you look at this finance and enterprise regulation, which I did, that was the authority for the Minister of Finance to cut grant cheques. But now I find it interesting that he has to ask permission from the President of the Treasury Board first.

This is a direct change from the Premier's office and the Government Organization Act. If we look at the past history of this hon. minister's spending habits, particularly in health, we'll find that there is cause for concern. If the Premier – and I'm not involved in any of these internal discussions by the Progressive Conservative Party, but certainly I can see why she would want to share that responsibility between the two individuals so that one doesn't spend wildly. There is always someone there asking the question: why?

Whenever we look at supplementary estimates – and there is a lot of money in these difficult times being requested – you have to look, Mr. Speaker, at why it is necessary for close to but not quite an additional billion dollars. Certainly, the situation in Slave Lake is a valid reason. What I do notice – and maybe I missed it – is that there is no money for Health and Wellness. The five-year plan: it's not necessary for money to be used there.

Now, there are a lot of places where there are surpluses anticipated, Mr. Speaker, with this government, and there are a lot of places where we certainly are going to have to be very, very careful with the money that we spend. We could reduce the size of government and save some money. I don't think that's going to happen. We could tighten our belts in a number of ways.

The total expenses for the opted-out and the management employees' pay increase: we could have a few more details on that, I think. That would be appropriate at this time. I know that when the hon. Speaker was talking about the officers of the Legislative Assembly, who appeared before the Leg. Offices Committee requesting additional money to meet their commitment on those employee top-ups, or employee pay increases, they made a compelling argument. The majority of those requests certainly were granted.

When we look at the money that we have in this province, we look at the royalty stream. We look at taxes. We look at transfers from the government of Canada. It certainly will be interesting, Mr. Speaker, to read in the newspapers the negotiations as they take place in a little over a year from now, negotiations on the Canada health transfer between, of course, the federal government and the provinces. The Minister of Finance – and I don't want to get off topic here. I don't want to speculate on whether or not he will be at the table, but that's a source of revenue that we've got to watch very, very closely.

3:20

The investment income: well, who knows where that's going to go? We had anticipated an additional billion dollars in investment income from the heritage savings trust fund. I don't think that is going to be realistic, but we still see this large request for supplementary supply. Regardless of what's happening in the rest of the world, we are still getting this request that's before us in this bill.

Now, the sustainability fund. It's interesting to note that the investment income from that is essentially doubling and supposedly the higher balance is doing that while the heritage savings trust fund account is going exactly in the reverse, where there is \$578 million less than was anticipated. The argument made is the weak equity markets. We've got net income from commercial operations, we've got gaming and lottery revenue, and we've got, of course, liquor revenue. The Treasury Branches: again, we have sort of a spotty record there with a reliable source of revenue. Sometimes I wonder about the Treasury Branches, but that's for another day, Mr. Speaker. Premiums, fees, and licences, and there are other small revenue streams as well. Well, they're not small. They're in the hundreds of millions of dollars, but whenever you compare them to personal and corporate income taxes and resource royalty, they're small.

We have an anticipated revenue stream of \$36.8 billion, but I'm sure there will be money left over and transferred like there is any other year, so that'll be up around \$38 billion. That's the revenue stream. But for whatever reason, we have to have this supplementary supply.

Now, one item that caught my eye in there – and it was an unrelated matter in question period today and yesterday – was gravel and sand. Gravel, sand, and salt, I believe, were the three items. I think it's a \$15 million request. I don't understand, after all the years of planning for winter road maintenance, how this would be overlooked. Did a groundhog somewhere tell this government that you don't have enough sand and salt for winter roads, and you're going to need more? You're going to need \$15 million worth of additional material to keep our roads safe.

[The Deputy Speaker in the chair]

I have a number of questions around that. We privatized these road maintenance contracts. My research indicates that certainly wasn't a good deal for taxpayers. You only have to look in public accounts to see these large sums that are annually provided to five companies. It has got to be close to \$400 million, Mr. Speaker, annually. Why can't they pay for the sand, salt, and gravel if I'm understanding this request correctly? Is the amount tendered? Can everyone across the province aggressively compete by price and delivery for these materials, or is it another way of doing business?

There are a lot of questions, certainly, with this bill. But, Mr. Speaker, we have to remember that this bill is a reflection of this government's spending habits. It's a reflection of how they budget. With that being said, I've got to repeat myself and say that

we understand there are necessary requests for disaster funding. Sometimes I think we should set that up in the budget quite differently and have that as a dedicated amount. Hopefully, it would not be needed, but if it's there, it can be used. Then if it's not used, it can be transferred back like so many hundreds of millions of dollars are done each and every year. Citizens may not realize that there is a lot of money that goes unexpended and is transferred back.

Now, last year there was over \$600 million, Mr. Speaker. People would say: "Well, how do you know that? Where is that money?" Well, it's in the consolidated financial statements which come out, and if you look in the fine print, you will see where they park – I'm going to use the word "park" – this money in another account and then they move it. They usually wait until 90 days or so go by, and they move it into the current fiscal year. I don't know why that practice goes on, but perhaps in the course of debate we can be provided with an answer to that.

If that can be done, I don't know why we couldn't look at another way of funding disasters. Would it be cheaper? I don't know, but it certainly would be more transparent, and I think we would have better accountability.

With those remarks, I appreciate the opportunity to discuss supplementary supply, and I would like to say thank you, Mr. Speaker.

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

Mr. Anderson: Thank you, Mr. Speaker. I'll just take a couple of seconds to finish up. I won't take too long. I wanted to rise on behalf of the Wildrose again to note our caucus' great alarm at the size that this deficit has ballooned to. The reason it has ballooned to the \$6 billion cash shortfall that it's now at – the roughly \$3 billion accounting deficit, \$6 billion cash shortfall – is because this government is unable to find savings within its budget, to look to their programs, to look at the way that they fund their departments, and find ways to be more frugal. Instead they allow outdated programs to perpetuate. They continue to spend money on pet projects that are not priorities. We Albertans are suffering the brunt of that.

An example of this is the \$2 billion carbon capture and storage scheme. We keep hearing more and more every day about how unnecessary this scheme is and how there are so many different things that we could be doing that are far less expensive and far more effective with regard to promoting energy efficiency and so forth, things like helping the grid to be one where consumers can put energy back onto the grid in a more easy fashion and, through leveling the playing field with other forms of energy, promoting the use of natural gas for things like our vehicles and truck fleets and things like that. Those types of things are initiatives that will help consumers and will also save the government the need to fund these massive projects to the tune of \$2 billion, which, of course, contributes to our deficit. I also think to the \$3 billion that over the next 30 years is going to be given to North West Upgrading. I think: why is the government in the business of doing business? If it is a truly lucrative business, would not the private sector fill that role?

3:30

Upgrading is not an unproven science such as the oil sands were in the 1970s. Upgrading is a proven science. The companies know how to upgrade the product. They don't need government's push. If it's feasible, if it's cost-effective, if it's economically viable, the private sector will step in and will upgrade bitumen into synthetic crude. We do not need to be spending \$3 billion or promising \$3 billion of taxpayers' money and risking that kind of money.

We've seen with Gainers, we've seen with the plant in Lloydminster, and we've seen with other initiatives that the PC government has taken: where they have taken a direct stake in a company or in a project like this, we've seen the results, and it's not pretty. That's why Ralph Klein, when he was Premier, often said, you know, that the government, the PCs are not in the business of being in business. Well, that doctrine has gone out the window, and the PCs are back in the business of being in business and risking a lot of taxpayers' money because of it.

There is the \$300 million being spent on new MLA offices. I always tell that to every single door I go to in Airdrie because we have a school shortage, as other places do. Fort McMurray, Beaumont, Chestermere, and others have major school shortages, yet we're spending \$300 million on new MLA offices, and we have a \$6 billion deficit. Even the new Alberta museum: there's nothing wrong with museums; museums are good things. But, again, is that something that we need today? Is that something that we just can't survive without right now, that \$300 million for the new Alberta museum? I would say that that project can wait until our budget is back in balance, and then we can afford to pursue projects like that. That's just good common sense. It's just like the couple, the family that puts off buying the new vehicle and tries to get a couple more years out of the old one until maybe better times when they have a little bit more money in the bank account. Clearly, there's a lack of ability to prioritize by this government.

With regard to this particular supplementary supply bill one of the things that is very troubling is that the new Premier promised Albertans that she would find in-year savings, that she would find money in this year's budget to pay for the restoration of the \$107 million education cuts, which every opposition party over here opposed when they were done originally and which the Premier today voted for when she was not yet the Premier. Then four months later she reversed that. We're glad she reversed that, but she said she would do so in a fiscally responsible manner, by finding in-year savings, and she didn't do that. She found the money in our sustainability fund, took it out, and it's just going to be an extra \$107 million on top of the already massive deficit that we already have. This is yet another broken promise, another signal that this Premier is not willing to look within her government for fat that can be cut and to delay projects that can be done without for a couple more years, like the ones already spoken of.

An example is carbon capture and storage. She says, you know, that we're going to cut carbon capture and storage now. Well, we've already promised most of the money, and the amount remaining she says she's going to put into other green initiatives. Well, I don't know what those other green initiatives are, but if they're as effective as the CCS adventure, then I'm not too hopeful. So this is a problem.

There's a repetitive problem here of tax and spend. We saw it, actually, I thought, with the Liberal Member for Calgary-Buffalo, who feels that the answer to our budgetary woes is to increase our revenues in some form, whether that be through taxes or fees or whatever it is. He said that he didn't know the exact answer but that we needed to increase revenues. He applauded the Finance minister and the Municipal Affairs minister as well for bringing up the possibility of increasing revenues through things like a provincial sales tax, through restoration of the health premiums, which were essentially just a head tax as they didn't go to health care but just went straight into general revenues, or some other tax or fee increase that they're contemplating over on that side.

I doubt very highly that in the next election or before the next election, the next budget, they will propose a tax hike at that time. Highly doubtful. That would really be – sorry. Remind me to never

look at the Member for Edmonton-Highlands-Norwood in the middle of saying something.

There's absolutely no reason why we should believe that this government will not increase taxes after the next election because they are absolutely seemingly unable to get into their minds and through their heads that the problem in Alberta today with regard to our budgetary situation has nothing to do with a lack of revenues. You can argue, as the Member for Calgary-Buffalo did, that we need to be more sustainable. He wants to put more money away, a larger portion of the oil and gas revenues away, and in order to do that, he wants more sustainable taxation, as he calls it, which would give us surpluses. Then we could put that back in, and we wouldn't have to adjust our program spending or infrastructure spending. That is one way to do it.

That's not the way I think Albertans want it to be done. It's certainly not the way the Wildrose wants it to be done. The Albertans that are talking to the Wildrose – you know, there are a few of them – are saying that what they want us to do is take a very careful look at our spending, defer things that are not priorities, cut the fat out of the budget that needs to be cut, particularly in the massive middle management of the bureaucracy and so forth, cut things like executive bonuses for health executives, cut things like salary increases for politicians, and cut the MLA offices. These are the things they want us to cut.

With regard to important things like front-line staff – nurses, doctors – important infrastructure projects like the ring roads, for example, they want us to go ahead with those and focus the dollars on those issues rather than on these pet projects, which seemingly pop up every couple of months, that the PCs want to undertake.

That is what I think Albertans are telling us. If we can't balance our budget on \$100 oil – today the price of oil is about \$100 a barrel. Brent crude is over \$110, and the price in North America for west Texas is \$100. It has been at this level for a while now. This is the longest period of time we've had oil at such a high, sustained price. It shot up to about \$147 a barrel one time; that was very temporary and very quick. Frankly, it was one of the catalysts for world-wide economic recession. But that price has come down. It has been sustainably high since then, yet we still can't balance the budget. Not only can't we balance the budget on \$100 a barrel for oil, but we can't even come close to balancing the budget. A \$3 billion accounting deficit, a \$6 billion cash shortfall: this is just an absolutely massive failure on the part of this government to manage our finances appropriately.

Look at the result for our children and for our grandchildren. You know, we see all of these sovereign countries around the world in this huge debt crisis. They try to come up with all kinds of schemes. If it wasn't so serious, it would be funny to watch these left-wing politicians in absolute denial about the cause of these problems.

Mr. Mason: Berlusconi?

Mr. Anderson: Berlusconi. Absolutely. Left-wing, not Liberal.

The causes are very simple. The causes are absolute, unrelenting. Mr. Chair, the causes of the financial crisis that is in Europe and in North America right now, particularly in the United States, are politicians . . .

3:40

An Hon. Member: George Bush.

Mr. Anderson: Yes, absolutely.

. . . fiscally irresponsible politicians across the board that continue to raise spending over and over and over again, government spending, raising taxes, doing everything that they possibly could to increase the entitlement state, the social state, to the point where it

is literally impossible to sustain for any period of time. They keep wanting to find ways to sustain it just a little longer because they don't want to hold the potato. You know, it's like musical chairs. When the music stops, they don't want to be the ones without the seat.

Well, the fact is that we're past the point of no return. The only way to recover from this economic insanity that has occurred is to deleverage as a society, as individuals, certainly as governments, deleverage the massive amount of debt that has been built up and the massive amounts of entitlements that have been promised on the backs of future generations.

In this situation we as Albertans need to be leading, and this government needs to be leading. They need to be taking the bull by the horns and saying: "You know what? We need to balance the budget. We need to rein in our spending and be fiscally responsible. We need to balance the budget without raising taxes. We need to put a little of our oil and gas money away for a time when oil and gas won't be worth \$100 a barrel or \$120 a barrel."

That's what we should be doing. That's the conversation we should be having. Instead, the conversation we are having is one that was occurring across Europe for many years, which is, "Well, the only way to perpetuate the social welfare state is to raise taxes, to make ourselves uncompetitive." Guess what? Europe became uncompetitive. It became bloated. They couldn't afford all the entitlement programs. Debt, debt, debt: the only way to pay for it was more debt, more debt, more debt. Now we have them in this death spiral, essentially, where they can't get out of it. That's the problems that we face here, Mr. Speaker.

The Deputy Speaker: We have Standing Order 29(2)(a). Five minutes. The hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Speaker. I can't resist asking my friend a question or so about his take on the debt crisis in Europe. I wonder if he is aware of the approach that has been taken by Iceland in response to their debt crisis. I know that the hon. member has characterized it as overspending, and he's talked about all these programs and stuff, but he hasn't really addressed the role of the banks in all of this. He hasn't really talked about whether or not the banks have some responsibility for this crisis and whether or not he actually thinks it's fair that these companies should be repaying these banks by cutting the very programs that the people depend on, programs that here in Alberta this hon. member is quick to defend, things like health care, education, and so on. Whose responsibility is it, really? Is it government's fault? Is there some private-sector involvement in terms of the banking system? And who is being asked to pay the price?

If he's not aware of what Iceland has done – they've taken a very different approach, and that's why I think you don't hear about it very much. They have basically put the bankers in jail. They have consciously defaulted on their foreign loans. They've taken a completely different approach, and they're doing just fine.

Mr. Anderson: The hon. member brings up a very good point. There is no doubt that it is not only governments' fault, this financial mess that we're in. There's no doubt that there was huge corporate irresponsibility, fraud, just awful things happening around the boardroom table. And what did governments do? What did they do for their buddies in the banking industry, specifically in the U.S. and in Europe? They bailed them out. They used taxpayer money to bail these banks out, and that is just as bad or worse than what has gone on with regard to governments expanding the welfare state to the point of collapse. So I would completely agree that that is a huge issue.

I think that we have to also understand, you know, what the solutions are now going forward. Is the solution to continue to perpetuate a banking industry that is clearly allowed to, certainly in the United States, run amok of any kind of proper financial disclosure and without proper regulations on the asset-backed commercial paper and so forth, that was one of the major reasons for that? Do we perpetuate that broken system by bailing those banks out, and do we perpetuate the broken welfare state by bailing it out continuously by printing money that doesn't exist – printing it, printing it, printing it – and that, hopefully, it takes us to the point where we can enjoy our retirement and that maybe our kids will have to deal with the fallout from it? No. That's not what we should be doing. We should be talking about: how do we deleverage now? How do we make our entire system, our entire social safety net as well as our economies sustainable for the long term so that we're not burdening our children?

An Hon. Member: Raise taxes.

Mr. Anderson: Well, that's one way of doing it. That's one way of doing it, raising taxes. I, respectfully, feel that raising taxes is not the way to go. I think that that's not a solution. It doesn't spur growth, it doesn't spur investment in the economy, and it hasn't worked. We've seen it in Europe. They have raised taxes. They have very high tax rates in Europe. It doesn't work because they get so high that, you know, it becomes basically an underground economy, where people don't pay taxes, where everything is done in cash. There's only so much that you can raise taxes, and the businesses that actually do follow the rules – some sure don't – find a way to move to another jurisdiction, a lower taxation jurisdiction.

Raising taxes is just simply not the solution out of this. The solution is smart, surgical austerity, that makes sure that things that are not priorities are cut first, delaying projects that are a priority but could be delayed, and focusing money on making sure that the most important things like public health care, education, seniors, and so forth are taken care of. That's how we can solve this problem, Mr. Speaker.

Mr. Liepert: I just wanted to take a couple of minutes to try and answer a couple of questions that were raised by the Member for Edmonton-Gold Bar. I didn't hear any questions from the most recent speaker. All I heard was the negative rhetoric that we've consistently heard in this House. You know, I think there's a direct correlation, Mr. Speaker, to negativity and their own plummeting popularity. I would say that, based on the negativity in this session, they recognize, as most Albertans do, that their popularity is at an all-time low, and I think we'll just let them continue to hang themselves here in the House.

The Member for Edmonton-Gold Bar did raise two questions. The first one was that he wanted some information around the expenditure on salting, sand, and gravel. I'm afraid I don't have that at my fingertips, but I will give the commitment to the member that we will get him that information for when the resumption of the discussion takes place.

The second question was raised around why we can't more accurately predict disasters. I would throw out the challenge, Mr. Speaker, to the member that if he can stand in this Assembly and accurately predict the disasters that are going to be happening in budget year 2012-13, I will gladly put it in the budget.

With that, I'd like to adjourn debate.

[Motion to adjourn debate carried]

3:50

Government Bills and Orders Committee of the Whole

[Mr. Cao in the chair]

The Chair: The chair shall now call the Committee of the Whole to order.

Bill 23

Land Assembly Project Area Amendment Act, 2011

The Chair: Any questions, amendments, or comments to be offered with respect to this bill? The hon. Member for Calgary-Glenmore.

Mr. Hinman: Yes, hon. Mr. Chair. This is a very important bill that definitely is making some improvements on the three-year boondoggle, coming up on three years, of this government failing to understand property rights, failing to recognize the need to protect property here in Alberta and wanting to move it into cabinet and just saying: trust me; trust me. We need to continue discussing what different aspects we can try to finish fixing this bill.

Like I say, it's very encouraging that the government has taken these first three steps, the first one being that when land has been designated as an area, the property owners can actually trigger the sale of that land, realizing, you know – and it's been brought up by the government – that there are times where if you can hold, the land value will go up. But there's also an economic opportunity, and if you're in a type of business and you need to grow and it's been frozen, that definitely, Mr. Chair, causes some problems in the fact that I've met several people whose property has been frozen, and they haven't been able to develop. They feel that they're not going to be fairly compensated, and they haven't been able to go through an appeal process. It's been extremely frustrating for them and caused a lot of strain on their business and their family.

The other one that's a huge improvement – and we're very appreciative of that – is the fact that a person can now with this amendment, if this bill passes, say: "You know, I'm not happy with the process that's gone through there. I want to go to the courts." They can have their due process in the courts. There the Expropriation Act takes over, and they can actually show that there is some value in their business and future growth and be compensated for that because of the freeze. That truly is an important aspect, Mr. Chair.

There are a few other concerns with the bill that at this point have not really been addressed as well as we would like. Section 10 of the original bill allows the government to freeze the development of their property, and then by doing that, they send out notification to those people who have interest in that land. That interest often is held by a bank that has a mortgage on it. When that notification goes out, the bank or the mortgageholder can get kind of antsy and say: oh, we didn't realize that this was going to be taken away. Worse than that is that all of a sudden if there are any problems, especially if these are to deal with environmental problems, the bank or that mortgageholder could actually be held responsible for the activities or the problems that have taken place on that property. The government has still failed to address this area, which we would very much like to see be addressed in a more appropriate way.

These areas, Mr. Chair, are a concern. We keep going back to the real root of this problem, and it is the bill. The minister brought up some interesting points, you know, that historically the government has failed to plan. They need a land assembly act, and

I would agree with them that it would be much to the benefit of both society and the property owners to have an act that puts forward a process where the public need is, in fact, shown. Whether we need to store more water – I think that's something that could be perhaps one of the first and most important things that this land assembly act should be looking at.

Calgary only has one real reservoir. The water flow from the glaciers is going down, yet the total amount of stream flow seems to be going up. It's over a shorter and shorter period. They've looked around the areas. Where could they do some on-stream or off-stream storage? That is the purpose of the land assembly act, to look at those types of public needs and then go through a process to get those lands to fulfill those needs. It's one area, again, where this government for years, Mr. Chair, has failed to act.

I think 1993 was the last time that we built a structure, the Oldman River dam, of any sizable amount to store water. I know that there are many studies that the government has done in the past to look at places for on-stream storage and off-stream storage. It's one of those things, Mr. Chair, that this government is spending billions of dollars on saying that we need to address the CO₂ problem rather than actually addressing the fact of the climate change that we're experiencing. What can we do to actually, I guess, mitigate those circumstances?

In the south there is a complete freeze or a ban on any increased water allocations. They're fully allocated. Some areas are up to 110 per cent allocated. The question is, you know: do we stop our growth, or do we realize that a huge percentage of our water is passing right through Alberta and heading out east, never to be utilized? This is a natural, renewable resource that we should be doing a much better job of capturing and enhancing our quality of life and industry and food production here in this province.

I believe that 3 per cent of the arable land here in Alberta produces 20 per cent of the food, and those are the irrigated areas of this province. I know that there are many different areas that we've looked at and have possibilities of moving that water to be utilized, to be vertically integrated in producing, for processing. It would be a huge benefit.

I mean, when you look at Europe, it's interesting. They still have vivid memories of the starvation. We just had a ceremony on Monday in commemoration of Holodomor, the starvation in Europe. That wasn't because of bad weather or not being able to produce. That was, again, an evil, corrupt government confiscating property from the people and trying to take that to destroy a region which the government was having difficulty controlling. [interjection] It's interesting that the Education minister wants to ask if that's for real when many of the acts that were taken in Europe during World War II and other times very much were brutal acts that didn't respect property rights.

There are many areas in these bills that have no respect for property rights. When you step down that trail, we can see the end results, and we don't want to go there, not even one step, here in Alberta. Yet many government members seem to pride themselves on this and say: "We know best. We'll put it in cabinet. Cabinet will make those decisions." It's just wrong, Mr. Chair. That's the last place we want those decisions to be made. What happens when cabinet makes those decisions is that they become political decisions, and political decisions are rarely in the interest of the people. They're usually more in the interest of a party in retaining and holding that power.

4:00

We have this dilemma with Bill 19, the land assembly act, which has come along, and now we're trying in Bill 23 to bring in these amendments when, in fact, we should just restore all

property rights. Again, they've asked many times: well, how do we do that? We go back to the Expropriation Act. Is there a role for a land assembly project? Yes. I think Bill 23 is addressing that in a much better way than when they started, but it's taken over two years. Thousands and thousands of Albertans have gone to meetings. They've sent letters. They've made phone calls to their MLAs. It wasn't until this new Premier came in that we're finally starting to recognize it, but then you add the insult of bringing in this bill.

The Premier says, "Well, we're going to have a task force to study property rights" when, in fact, they've received the information multiple times over. The people that have contacted our office of the Wildrose have very much said that they're insulted that this government has at this point created a task force of individuals that have spoken out against any aspect of amendments, yet these amendments have come forward. It is a little bit disappointing that they would like to go down that route and say that everything is okay.

Mr. Chair, we are disappointed, as Albertans are disappointed, in this government, their lack of respect for property rights. It was only when they finally received so much heat from property owners and those who understand property throughout this province that they brought forward this amendment. Too often it's like the Hollywood shoplifter, that when they're caught, they just say: oh, no, no; we didn't mean any of that. The question is: why did they ever do it? If they didn't mean it, why did they do it? Why did they defend it for two years and go around slandering such excellent citizens as Keith Wilson and saying that he's fearmongering, doing it for personal interest, going after the land groups that have been fighting this adamantly and having meetings, taking a lot of time and energy, and just basically mock them for their activities and say that's it's totally unnecessary?

Yet we get this bill coming in that is exactly addressing three of those concerns. One, they can trigger the buyout, which is a huge improvement, and people throughout the province are grateful for that. Two, they can go through the due process of law. Again, it's so critical that that is reinstated in here. We are grateful that that has come out in this new amendment.

It's just hard for me to understand how they wanted to bypass that for so long, to say that cabinet can make that decision. "You don't need to worry about us. Trust us." What percentage – is it 50 per cent? – say that they own land over there. A high percentage of them, Mr. Chair, declare: "We're landowners. You can trust us." The last thing I would want to do is trust them. They want to grab power and hang on to it, and they want to grab land in order to extend their dynasty in whatever way possible. Or, more pathetically, it's to be able to reward those with political connections. I still feel very strongly that PC stands more for political connections than anything about being progressive and, certainly, nothing about being conservative. It's about their political connections. It's about power. It's about control. It's just a desperate act to try and change things without ever acknowledging that they were wrong.

Probably the most disappointing point in all of this is that nobody from the government has yet to get up and apologize to Mr. Wilson and thank him and say: "I don't know how we didn't get this. I don't know why we took two years and put you through so many struggles to wake up Albertans to realize what was done." This government continued to say day in and day out: "We've done nothing wrong. This bill is there for the public good. You can count on it. We would never take your land without fairly compensating you." Yet they had no interest in what future opportunities were there. They had no problem with freezing land

for 20 years and saying that, you know, this is for the best interests of the people of Alberta when it isn't.

This government has a long, bad track record of not respecting contracts that they don't want to. I remember when the last leadership contestants all said that what they really want to do is to review the royalty revenue, which in itself could be fair, Mr. Chairman, but what they didn't want to recognize or respect was the rule of law and those contracts that were signed. They didn't say, you know, that starting in January 2009, when you bid on mineral leases, bid accordingly because this is what the new rate is going to be.

What they did was say: "We're going to go retroactive, and though you've bid on this land and you wanted to have the conditions, we're not going to respect those conditions. We're going to change those before we do anything. We're not going to respect the rule of law. We're just going to simply enact this. It's new. It's going to be retroactive, and though you bid with a formula that you thought you were going to pay royalties on, we're changing that."

Anyway, I guess, Mr. Chair, what I would like to do is move an amendment, so if we could take a minute to distribute it.

The Chair: We shall pause a moment for the pages to distribute the amendment.

We have distributed the amendment. The amendment is now known as A1.

The hon. Minister of Education.

Point of Order Inflammatory Language

Mr. Lukaszuk: Mr. Chairman, before we get to the amendment, I would like to rise on a point of order under section 23(h) of our standing orders, using language that entices, I believe it is, a disorder in the House.

The hon. Member for Calgary-Glenmore about three or four minutes ago in his comments made a statement that I was hoping initially I was mishearing. Then he repeated it several times, so without a possibility of denial he said exactly what I think I heard. I know what he said. Mr. Chairman, he compared the Alberta government's land-use policies legislation to the atrocities and genocide of Holodomor in Ukraine. What he's doing is comparing policies that we're passing in this Legislature right now to Stalin's genocide during the 1930s in Ukraine, known as Holodomor, which killed somewhere between 6 million and 10 million people. If this isn't reaching a new bottom for the Wildrose, I don't know what is.

4:10

This is disgusting, Mr. Chairman, because yesterday we were sitting in this Chamber with ribbons and buttons on our lapels, and they were wearing them, supposedly feeling sorry about what happened, and today they're comparing that and trivializing that event. It's a very important historical event that killed thousands upon thousands, millions of people, many relatives of Albertans who live over here right now. And he compares those atrocities that Stalin put upon Europeans and Ukrainians to what's happening in this Chamber right now.

Mr. Chairman, that member should be ashamed of himself. He should apologize not only to this Chamber but to every person of Ukrainian heritage in this province and in this country. This is a bloody shame.

The Chair: On the point of order, the hon. Member for Airdrie-Chestermere.

Mr. Anderson: On the point of order.

Mr. Liepert: Stand up. Stand up.

Mr. Hinman: You scum-bucket. I will . . .

Mr. Anderson: You know what? What this really shows . . .

Mr. Liepert: Point of order.

Mr. Anderson: You can't call a point of order. Sit down, Finance Minister. If you can't follow the rules in here, sit down.

The Chair: The point of order.

Mr. Anderson: On the point of order.

You can't call a point of order on a point of order, clearly. We know that's a clear rule. He doesn't understand it. Everyone else does.

The Chair: All right. It's a point of order that you're talking about, hon. member, and then there's another point of order that the minister raised.

Mr. Anderson: On the point of order. This minister once again has sunk to an absolute new low. It is absolutely amazing to me that a minister of the Crown would stand up and blurt out such absolute obscenities as I just heard. To try to paint this member of my caucus, of the Wildrose caucus, a member of this House, in such a disparaging light is despicable. He should be absolutely ashamed of himself.

All this member was doing, all he was doing was because of the incredible – you know, we have these events at the Legislature, these commemorations of things like the Holocaust and things like what happened during the atrocities in the Ukraine and so forth. We have these commemorations in order to remember these atrocities and make sure that they never happen again.

Now, what this member was saying in that light was not saying that this government was interested in committing atrocities. He never once said that. Find it in the record. Where did he say that? He didn't say it. What he was saying is that it is absolutely imperative to a functioning democracy, absolutely imperative to a place that respects human rights, a government that respects human rights and will always uphold the rights of its citizens and protect them, to remember to protect things like property rights and to not trample on the rights of individuals. That's an important principle.

He wasn't accusing this group over here, obviously, of wanting to commit atrocities against its people. He was just saying that we've got to be ever vigilant to make sure that when we pass laws, Mr. Chair, no matter what, we think of the long-term effects of those laws. The very first law that was passed, for example, Bill 36 and Bill 19 as a part of that and Bill 50, specifically gave the government the ability under the law – it was completely unintended; I'm sure it was. They clarified it, and they even clarified it in subsequent legislation. But it gave them the right to take away people's land titles without compensation.

Was it on purpose? I don't think it was. I would be willing to bet anything that it sure was not their intent to take away people's land titles. Nonetheless, that's what was in the law. So people like Keith Wilson and people like this hon. member and others stood up against that law and said: "You know what? This is a dangerous, slippery slope we are going down, and we cannot just willy-nilly pass laws like this that could have very detrimental effects over the long term."

In summary, I just want to say that this member would never and did not say anything that was relating this government to the atrocities of Stalin, and it is despicable that this person over there has such a thin skin that he would be willing to make that accusation against a member that has clearly demonstrated with his work that he cares very much about people that have undergone those atrocities. He speaks about it regularly. He feels as passionate about it as anyone else. I would ask that that member take his remarks back and apologize to this member for insinuating such absolute stupidity. Because that's what it was. It was a stupid comment.

The Chair: Hon. member, we should not use such personal language with each other.

I have to make a decision here. I will wait for the Blues so that I have enough information to make a ruling on this. So that's the point of order that the hon. Minister of Education raised.

I also noticed the hon. Minister of Finance stand up on a point of order.

Point of Order Parliamentary Language

Mr. Liepert: Mr. Chair, under Standing Order 11(1) I want to make sure that the member has the opportunity to withdraw the comment that he said, that was clear on this side. He used the term "scum-bucket." If he doesn't want to acknowledge it, that's fine. He has the opportunity to stand up in this House and withdraw that comment from the floor.

The Chair: The hon. Member for Calgary-Glenmore on the point of order.

Mr. Hinman: Well, we'll wait and see if it's in *Hansard*. But the fact is that people should behave honourably. If they want to behave in a manner that is described only in poor language, those are sometimes the consequences. I don't know that I said anything in *Hansard*, Mr. Chair. I was responding to him personally on the disgusting language that he was using and the accusations that he was making. [interjections] No. It's the way you're behaving, so quit behaving that way. Why don't you behave honourably, and then maybe you would be treated that way?

The Chair: Hon. member, you have made your point. Other hon. members heard the word, and I heard it, too, so please stand up and withdraw that word.

Mr. Hinman: If the chair would like me to withdraw it, I will withdraw it.

The Chair: Now we will go back to amendment A1. The hon. Member for Calgary-Glenmore on your amendment A1.

Debate Continued

Mr. Hinman: Thank you, Mr. Chair. This is a sensitive subject. I can understand why many people are getting somewhat riled up about it.

I would like to comment, first of all, I guess, on the Deputy Premier at the function on Monday. In his speech he talked about government taking the property of those individuals and not fairly compensating them for it. Those were the words of the government member, which I totally agree with. But to realize that in Bill 36 and Bill 19 that that's the exact same wording that was in there, that is not fairly or properly compensating them for the

taking of property. That's what this issue is about because we have some members here that want to try and act like they wouldn't ever do that, when, in fact, they've passed legislation. It's truly disgusting, and what they had to say is even more disgusting, Mr. Chair. The hon. member should leave the House and go out and cool off a little bit and see if he can get his thoughts back together.

I'd like to make the amendment that Bill 23, the Land Assembly Project Area Amendment Act, 2011, be amended in the preamble in the fifth recital by replacing "appropriately compensated for their lands" with "fully compensated for their losses." This is again a critical point, which it's obvious that members over there don't understand. They sit there and want to say that they're honourable: you can trust us. Every tyrannical leader that's ever raised its ugly head to commit such atrocities to humankind has always started on that good first step: oh, we're looking after the people as a whole. Yet they don't respect that the most critical starting point is property rights. That's what they do. They don't respect the property rights. They say, "We don't need to fairly compensate them," and they go forward from there. Then they say such things as "unbelievable." It truly is unbelievable, Mr. Chair.

In the preamble it says "appropriately compensated for their lands." What does appropriately mean when you're compensating someone for their lands? This government and its members have said many, many times, if we go back through *Hansard*: oh, we'll be fair. I mean, that was the whole basis, Mr. Chair, of the royalty review, this word "fair." They wouldn't even respect the rule of law and the contracts that had been signed by those companies and individuals. They get to make this cabinet decision, and it's wrong.

What we want to see in this bill, to ensure that it really is what they're saying, is "fully compensated for their losses." That is in itself critical because in the preamble it says, "appropriately compensated for their lands." But lands have opportunities, and there are losses if you can't use that land in a way that is the best economic possibility for you. I understand and we all understand zoning. We're not going to say that you can build some nuclear reactor on that piece of property because it's your right. No. There's zoning, there's industrial, there are all of those areas. And they jump to these conclusions and seem to think that because you want to be fully . . . [Mr. Hinman's speaking time expired]

The Chair: Any other hon. member wishing to speak on amendment A1? The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Yes. Certainly, Mr. Chairman, I can understand why the hon. member has put this amendment, that you refer to as A1, before the Assembly. Certainly, compensation and what's considered fair compensation has been an issue of significant concern in the public meetings that I have attended around this Land Assembly Project Area Act. This amendment should be given due consideration by this Assembly.

I can understand where the hon. Member for Calgary-Glenmore is coming from on this. I know the concern that landowners have with this government's initiative here. When we look at the controversy that has surrounded this legislation and this amendment act – of course, we all know, Mr. Chairman, that this is the second time we have been amending this legislation, I think, within a year. It may be 13 months. There have still been many outstanding questions presented at public meetings by concerned landowners. The right to compensation and legal recourse equal to rights under expropriation are important, and the questions that are asked by landowners, again, are significant.

The member here is anticipating that landowners would be fully compensated for their losses. There will be a discussion, certainly, around that. There will be a discussion on what is fair compensation, what current market value is. I can imagine where all of this is going.

Amendment A1 is of interest, and I would be considering supporting the amendment as it's been presented. I think it would improve this bill, and I think we should hear from other hon. members of this Assembly who may have more to add on this.

Thank you.

The Chair: On the amendment, the hon. Minister of Infrastructure.

Mr. Johnson: Mr. Chair, thank you for the opportunity to speak to the amendment and the bill in committee here. I am very encouraged to hear language from the opposition with respect to this bill and some of the language that was just said here in terms of them being very encouraged by the changes in the bill. I believe the hon. member also said that he would agree that these changes are of benefit, and he said: we are grateful for the amendments.

One thing I fail to understand a little bit, Mr. Chair, I think, is the lack of knowledge on the land planning, restrictions on land. They like to say a freezing of land. I know the hon. minister of agriculture asked the hon. member yesterday or two days ago if he could articulate the difference between a permitted or discretionary use in terms of land use and bylaw planning in municipalities, and he didn't know the answer to that.

I'm also confused by the fact that he refers to section 10 with respect to sending notices. It's not section 10 within the bill that speaks about sending notices to the registrar. It's section 5 of the act. I noticed that the hon. Member for Fort McMurray-Wood Buffalo said the same thing last night or yesterday in second reading. The hon. Member for Fort McMurray-Wood Buffalo, I believe, said that we all know what it's like to deal with bankers, and for the most part we don't like it. I don't know why he's criticizing bankers so much. He also says . . .

The Chair: Hon. minister, we are talking about amendment A1.

Mr. Johnson: I'll get to that, Mr. Chair.

The other thing I would just speak of as part of speaking to this amendment is the assertion that the opposition is the champion of property rights. I remember very vividly when we were debating Bill 26 in this House, when this caucus supported a very significant change to landowner rights, and the Wildrose caucus was nowhere to be seen in spite of commitments made by their leader.

With respect to the amendment, Mr. Chairman, I want to thank them for bringing forward ideas and possible solutions just like all Albertans have done over the last many months. Clearly, through the act, the way it's amended, the intent is to deal with the request from this opposition party and Albertans that landowners be fully compensated and that they have full access to the courts. Clearly, in the legislative piece, not in the preamble, the act points to the Expropriation Act and all the heads of compensation in the Expropriation Act. So there's not a big requirement to try and articulate those details so specifically through the preamble, which is just to put the bill in context.

My feeling, Mr. Chairman, is that when we leave the wording at "appropriately compensated for their lands," it's very wide. It's very encompassing. You know, folks that are working on these deals either through negotiation or using the heads of expropriation or going to expropriation or reverse expropriation have a very wide range that they can use in terms of establishing what kind of compensation is there for landowners. Of course we want them to be fully compensated, but essentially what we're

talking about is removing the word "appropriately" and putting in the words "compensated for losses."

I think we want to go beyond compensating people just for their losses and leave the people that need to negotiate or interpret this in the Land Compensation Board and in the courts all the latitude possible through access to the heads of compensation and the Expropriation Act and any kind of negotiations that may take place to make it appropriate and very fair and even generous for landowners.

The Chair: On amendment A1, the hon. Member for Fort McMurray-Wood Buffalo.

Mr. Boutilier: Yeah. Thank you very much, Mr. Chairman. In amendment A1 the Member for Calgary-Glenmore clearly has indicated what needs to be amended here. The Member for Athabasca-Redwater made some reference to this amendment. He made some interesting points, but I would caution government members and that member to guard against self-deception.

As I look here at the *Athabasca Advocate*, in terms of comments he made relative to the situation, I find it interesting that people who are living in Athabasca right now, who own a hotel, who have invested money over many, many years – and when I drive from Fort McMurray, sometimes I move off of highway 63 because of its condition and actually drive on highway 2 through Athabasca. In speaking to folks at the coffee shop there, I find it interesting that if you own a hotel in Athabasca, you've invested your life savings, you've invested your capital, but in this particular situation they'll go ahead and give you the market value. What this ultimately means based on what the member has said is: too bad, so sad relative to the issues of fair compensation and opportunity pertaining to what is lost. So the opportunity lost is a real value when it comes on a balance sheet, but it seems like this government does not believe that. You can invest money in putting up a hotel that's sitting there for 20 years. This government comes in, and they just plow through it. They expropriate your land, and by the way you're not going to get any compensation or any value for the loss of your capital asset that has been there.

4:30

I'll speak very slowly. I understand he was confused about what was being said. We are not confused. What we are certain of is that they are confused relative to this mismatch of amendments that they have put forward, that really got it wrong from day one.

Mr. Chairman, I want to say to you that when I drive back to Fort McMurray this weekend, I'll be stopping in Athabasca again. It's very interesting to say that the people there, relative to their investment of capital on this amendment, are looking to be fully compensated for their losses. What they have put forward does not cover that. In other words: "So sad. Too bad you invested in Alberta or in Athabasca. Your life savings are just going to be lost because we're just going to compensate you for the actual market value, nothing to do with the loss and projected loss of the future."

To anyone who looks at financial statements – and I pride myself on my background in teaching this type of situation – I want to say to you that the real message to the government should be this. "You got it wrong at the very beginning. Now you're getting it wrong again with amendments and amendments and amendments and amendments and amendments and amendments."

You know, if it looks like a duck, quacks like a duck, the bottom line is that it's a bad piece of legislation. I can only say to you, Mr. Chairman, that this government should do the honourable thing and withdraw it rather than trying to jam through

the kind of amendments and the type of things that have gone on here. They should really be looking at and guarding against self-deception. The fact is that what we have witnessed here is a day and a half in session, then a three-week holiday that this government gave themselves. Then they came back. Now what are they doing? In a 10-day period they're trying to ram through pieces of legislation and amendments on something that they know they got wrong from day one.

You know, it's often said that when you're digging a hole, you have two choices: keep digging or stop digging. Clearly, this government has not stopped digging on this issue, and they will pay the price at the next provincial election.

Thank you, Mr. Chairman.

The Chair: On amendment A1, the hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Yes. Since there's no 29(2)(a), I just wanted to ask the hon. member if he could repeat his saying about ducks. As I got it, it's: if it looks like a duck and it quacks, then it's bad legislation. Is that how it goes?

Mr. Boutilier: Mr. Chairman, that's a very, very good question. The reason I say that is that I have a lot of experience with my four-year-old son. He actually likes ducks a lot. There have been rumours that we don't like ducks in Fort McMurray. Well, we love ducks in Fort McMurray. I will say that, in fact, the hon. member occasionally brings a duck into the House, and I'd ask him to bring in a duck if he has one. Well, there you go. He has one right here, and all the power to him.

It looks like a duck. It quacks like a duck. It means that it was legislation that actually was being driven through because of the fact that this government didn't listen to Albertans.

The Chair: The hon. Minister of Infrastructure on amendment A1.

Mr. Johnson: Thank you, Mr. Chair. Just a couple of questions for the hon. Member for Fort McMurray-Wood Buffalo. I am a little confused as well because he wants us to throw out the legislation, yet last night he said: "Bill 23 does contain positive amendments. . . It allows landowners to trigger expropriation of their land – that's a positive, and I want to say that I was pleased to see that," and he goes on to actually say a few fairly positive things about the bill. He says, "The amendment that is missing. . . is in regard to section 10 of the original bill."

Well, the amendment they've brought forward has nothing to do with section 10, of course. He did mention fair market, Mr. Chair. I'm wondering if he can point out to me in the bill anywhere that it says: fair market.

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

Mr. Boutilier: Yeah. Thanks very much, Mr. Chair. I empathize with the member for the confusion that he speaks of, but we are very clear in the Wildrose. Number one, we believe that when an Albertan invests in capital such as a hotel or a business in his area, where they have for the last 25 years had a successful business, and then all of a sudden the big, bad government comes in and takes over the property and says, "We'll give you market value for what's going on," they do not recognize the actual opportunity cost and what this hard-working agriculture family, if they owned the business, would lose in the future. This government is failing to recognize that, and that is fundamentally wrong.

The Chair: The hon. Member for Airdrie-Chestermere on amendment A1.

Mr. Anderson: On amendment A1. Thank you, Mr. Chair. The amendment is with regard to the preamble, of course. I think it's a good amendment. I think that it's solid. You know, appropriately compensating landowners for, essentially, expropriating their property is certainly very important. It's very serious when they're not compensated fully for their losses.

I like the language used here. Too often government-speak means something very different than what it means to the average Albertan. You know, I think of the fixed election date debacle, for example, where you had the Premier say, "We're going to have fixed election dates," and then that turned into fixed election seasons. The average human being out there would say: "A fixed election date is the same thing that's, you know, basically defined in all the other legislation around the country. It should be, clearly, on a specific day every four years." But, then, of course, we come out with these fixed election seasons. The point is that this kind of doublespeak, or Tory-speak as it's sometimes called, just frustrates people.

I think it's a very good amendment because this makes it very clear whereas the government says: we will appropriately compensate their lands. What does appropriate mean? Well, it depends on what the government feels it means. Who knows what appropriate compensation means? It could depend from year to year on who's sitting in the chair over at the Ministry of Infrastructure. I think it is good to say "fully compensated for their losses" because it will give Alberta landowners the knowledge that when their land is taken, whether it's a business loss, whether it's any kind of loss, whether it's a loss of opportunity because their land was tied up so that they couldn't move forward with a different project and so forth, they will be fully compensated by the government for those losses. Anyway, I think it's a very good thought to put into the act. I will say that I do intend on supporting this amendment because it is an improvement, clearly, from the previous legislation.

Getting back to what the hon. minister, who I have very high regard for, said earlier, he said that amending section 10 isn't in this current bill before us. I would say that that's why it's so important that he look at amending that portion. We would like to bring amendments to that effect, Mr. Chair, but apparently we're not permitted to do so because it's not in this Bill 23. We can't amend something that isn't taken up in this amending bill.

That's why we're trying to urge the government to take the opportunity to bring forward a bill that will take into account that specific situation, which is that when banks are notified under the Land Assembly Project Area Act of a person's property being frozen and so forth, then basically that will affect their ability to use that land as collateral in business ventures and so forth. That's a very serious omission that has occurred. But, as I said before, this act is a vast improvement over what the original land assembly act gave us.

4:40

I would note again and I want to congratulate in particular the Member for Calgary-Glenmore as well as Keith Wilson as well as our Wildrose and caucus leader, Danielle Smith, for being ardent, ardent supporters of landowner rights and for fighting tooth and nail from the very start. Long before the three individuals, other than the hon. Member for Calgary-Glenmore, came to this party, they were out fighting tooth and nail for landowners and making sure that they got the government's attention. Because of that, we

have this Bill 23, which is clearly a lot better than what was out there previously, so I'd like to thank those individuals.

I hope that there would be enough class on the other side – well, certainly not from some members over there but certainly from this minister – to say: “You know what? We were wrong. We blew it. That’s what happens in life sometimes, and we’re going to make up for our mistake.” If they would just say it, I think that it would gain a lot of people’s respect. They still seem to keep putting out there, “We had to do this clarifying legislation because of all the lies and so forth that were being fed by other individuals, by Keith Wilson, by opposition parties, and so forth,” which is not true. Clearly, if they were lies, they wouldn’t be amending this legislation to make it clearer and to make substantive changes, as we see.

On balance, Mr. Chair, I think that amendment A1 is a very appropriate amendment. It brings the preamble a little bit more in line with what I hope is the intent of the bill, which is to make sure that landowners are fairly and fully compensated for the losses they incur when the government comes in and expropriates their land. I think one of the most serious of government interventions other than perhaps putting somebody in jail is the expropriation of land.

When you put someone in jail, you’re taking away virtually all of their liberty. Of course, that’s why we have a system in place to, you know, try to make sure and prove beyond a reasonable doubt that we only put those who absolutely are a menace to society in jail. Just below that is the expropriation of people’s property. That’s a very serious thing, especially since it’s done not because of any bad thing that the individual or property owner did. So when we do that, we have to make sure that they are absolutely fully compensated for the taking away of that property in the interest of the public good. It does sometimes need to occur – we do need to build highways; we do need to build power lines and all these other things that the government has to do at times – but we should make sure that people are fully compensated for their losses, not just adequately.

What is adequate, clearly, has a very different meaning to this government over here and the opposition parties and, clearly, between this government and regular Albertans, as witnessed over the last two years of what has been a complete debacle with regard to upholding and respecting property rights in Alberta.

Thank you, Mr. Chair.

The Chair: The hon. Member for Calgary-Glenmore on A1.

Mr. Hinman: Yes. I'd like to start off and thank the minister for getting up and sharing his concerns. I hope to be able to answer a few of his questions but also to make a few comments.

He started off with a very profound word that has been used many, many times by this government, and that’s the intent of the preamble. Yes, the intent is there. But the whole reason, hon. member, why we’re doing these amendments or why you’ve brought forward Bill 23 is because the intent wasn’t clear enough in Bill 19, so you’ve brought it forward. The intent is critical.

Also, Mr. Chair, it’s very important that we realize that with this Land Assembly Project Area Act there are going to be those people that end up going to the court. The courts always look at the preamble because that sets the parameters for what they’re going to look at. It is critical that the preamble is right when it comes to property rights because it sets the overall parameters. A judge, in our view, could look at this and basically state: “Oh, all we need to do is compensate them for their land.” The hon.

member rightly points out that the Expropriation Act allows for greater latitude, but the question is: is that latitude in Bill 23? We’re concerned that it’s not.

This is a minor change. It doesn’t jeopardize the government’s side at all. I think that it clears the intent on what is actually happening there. So I’ll personally be shocked, Mr. Chair, if they don’t accept this friendly amendment to the bill. As he has pointed out, we have praised them for coming forward and making these three major improvements in the bill: one, we can trigger expropriations; two, they’ve restored access to the courts; and three, landowners can sell their land beyond the market value, which is in this amendment. Those are great steps forward. The whole purpose of this amendment is to ensure that that intent, what we’re trying to clarify here, is set out in the preamble of this bill. The preamble as such says, “appropriately compensated for their lands.” It does not cover the entire area that this government seems to say we want to do with the bill. This is where we’re trying to cover it.

He’s brought up that, you know, we refer to section 10. Again, the dilemma that we’re in here is that we can only speak on the bill that’s in front of us, which is an amendment to a bill, and in that bill – again, because the government has been bringing these bills forward so fast and going late at night, I’ll be the first to confess that I haven’t gone through them nearly as well as I would like to. This government doesn’t think that it’s important to go through these bills in any detail. They’re experts. That’s why we’re here doing these amendments, because of their expertise in sticking their foot in their mouth and doing it wrong, their expertise at somehow looking past the rule of law and saying, “That’s not important; cabinet will do it,” their expertise in saying: “You know what? Our intent is good. Trust us.” That’s what they’re experts at, Mr. Chair, invoking this talk of: “Trust us. Trust us.”

It’s not good enough. They cannot be trusted. So we need the time to go through these bills with a fine-tooth comb and try and make sure that it’s right. When are they going to come back and bring the amendment to Bill 19, which really needs to be done? Again, I believe it’s section 10 where it refers to all those with interest in the land. Then you revert to section 5 where the hon. member is talking about such things as banks and those who own mortgages or interest in those lands. But we can’t make any amendment because that’s not in this bill. It’s fine to say, “Well, let’s put the amendments through,” which we will agree to, but let’s make sure that the intent is fully covered in here, which it’s not. The hon. member even said, you know, that we’re going to allow the Expropriation Act, which does allow for unforeseen or, let’s say, unacquired losses yet for that opportunity, the opportunity lost, which we see all the time, especially in a society as fast growing and paced as what we have here.

I also want to say that, you know, property rights are paramount. They seem to mock me for talking about that, about how important property rights are and that they’re paramount. The property rights are where the rule of law grows from. I mean, back in June of 1215 when the Magna Carta was originally written down and signed by the king, the essence of that whole fight for freedom was the respect for property rights; you know, are they going to be entrenched? That was a turning point in what you might want to call Western Civilization, where property rights were entrenched. They were protected. You couldn’t just go and kill somebody and then seize their property anymore because it was recognized that they had ownership. That’s what this is all about: ownership.

4:50

Mr. Chair, our coat of arms says *Fortis et Liber*. We can ask ourselves: what is *liber*? I don't imagine that they even know what *liber* is. [interjection] I'm no expert on Latin, but I've had many people say that it's *liber*.

What you have is the inner bark of a tree, if you look it up in the Latin dictionary. What correlation does that have with freedom? I don't think there are any members over there that have any idea what it is. I should probably sit down and let them answer because that's what they like to do to us. They say: "Oh, what is this?" Maybe I will sit down and ask them: what's the correlation between the Latin word "*liber*" and property rights? See if any of them have the so-called knowledge of what that is.

The Chair: Any other hon. members wish to speak on amendment A1?

Seeing none, the chair shall now call the question.

[Motion on amendment A1 lost]

The Chair: The hon. Member for Calgary-Glenmore on the bill.

Mr. Hinman: Now we're back to Bill 23, the Land Assembly Project Area Amendment Act, 2011. Not surprised. Not being surprised, I shouldn't be disappointed that this government and their members do not know what freedom is. They can have the assignment of going home and looking that up.

I'll share a little bit about it. *Liber* is the inner bark of a tree. The reason why we go back to that is because under the early law when they had to write down the ownership, where did they write it? They wrote it down on the inner bark of a tree. That was their paper. That was their designation for ownership. Whether that was ownership of slaves, whether it was ownership of property, that was the book they kept. That's the root word for it. It also is in "*library*." It's in "*libro*," the Spanish definition for book. That's where it goes back to.

When it comes to the rule of law and writing it down and owning property, it's critical, Mr. Chair, that we get it right. This bill has made some very good improvements, which we will be voting in favour of, but amendment A1 would have cleared up the intent in the preamble to a much better degree if we would have looked at that. Like I say, it's very disappointing that these government members do not understand the importance of the rule of court. They're merely putting these amendments in there because of the pressure that they've been feeling. It's always disappointing when government or individuals act because they're pressured into doing something rather than doing it because they know it's right, setting the example and protecting those properties.

There's no question that this government does not have that respect for the rule of law. They don't have that respect for property. What they do have respect for are the voters out there. They realize that every now and then there's this check on them. If people are upset, they don't have to vote for them. As they pointed out with their other bills, Mr. Chair, they're going to set a season when there's an election coming up. There are certain areas where they've upset property owners and those in rural Alberta, but they say: "Oh, we don't have a choice here. We need to actually pass these amendments in order to ensure that we have support in the next election."

I'm proud to represent property owners throughout the province. I am proud to fight the good fight for freedom, for property rights. I think that it's critical that we continue that fight because there are other bills. Bill 50, which I spoke of earlier

today in question period, is not in the best interest of Albertans. If this government truly understood property rights and understood the process of law and the rule of law, we would have other amendments coming in for Bill 50 and Bill 36. Instead, all we have, Mr. Chair, is a task force that's going to be brought forward. We have a Premier who says: "Oh, what we're going to do is review it. We'll scrap all of the infrastructure that we previously said was critical." We know it's not, yet this government wants to continue that cloud of misinformation: "Oh, this is critical. We need to do it." It's interesting. I've heard that a lawsuit has actually been brought forward today on the heartland line, which I wish the people good luck on, to stop that line. We need to go back to a proper review.

This government truly doesn't understand the need. They're being pushed into a corner, and they're responding in a positive way because they're forced into it, yet there are no bills being brought forward on Bill 50, which is going to cost taxpayers billions of dollars. The Energy minister, when he got up today, again said that we don't know what we're talking about on the overrun of the expenses from what AESO has told those two companies that they can do.

Mr. Chair, Bill 23 is just one step of many steps that really, really need to be addressed by this government, yet they're failing to address them. We would sure like to see them take a couple of steps forward. The hon. Member for Airdrie-Chestermere talked a little bit about the penalties and the fact that this government made the amendment, which we are grateful for, to say that, you know, if you refuse to go along with the government, they're going to put them for two years in jail for fighting for your property rights. Then they sit over there and say: "Oh, no. We understand. Oh, no, we would never do anything to hurt the landowners or our citizens." Yet, it's very clear with these amendments that they're very problematic, and we need to do something about it.

We are disappointed, like I say, that this bill doesn't have the context of all of Bill 19. It's only amendments. So when it comes to the notification of people with interest in that land, that letter is going to go out to the banks. I don't know, hon. minister, how you're going to address that or acknowledge that. It's not in this amendment, so how are we to amend Bill 19 when you don't bring all that forward. That's one of the arguments on why we say that it should just be scrapped and start over.

You are going a long way forward. We're appreciative of the distance that you've gone here in Bill 23. Like I say, restoring access to the courts is critical, and Albertans are grateful for that. They're grateful that you are striking out the heavy hand of the threats of putting people in jail for wanting to fight to try and keep their property or to be fairly compensated.

Again, you've got in here to sell their land beyond just the market value, which is a huge step forward, which again is good. The problem and the root of the problem is that you don't seem to show that respect for the rule of law and property rights. By voting down that amendment – I don't understand it. What could possibly be harmful to the government or the taxpayers of this province by fully compensating someone for their losses. It's a critical point. The difference between losses or their land, your opportunities or your day, is huge. We just feel that by not taking that amendment, the intent, which you speak so eloquently about, has to be questioned. We very much want to ensure property rights. We want to assure those property owners that they'll be fully compensated. It's very easy.

This has been a long, drawn-out process. When land is frozen for future development, it really undermines people's opportunities. It's not always easy to move and to go in a new direction and say, "You know, you don't need to worry about it; we're freezing

your land, but it won't have an impact on you," when it has a major impact. We would sure like to see those changes made to recognize fully that they'll be compensated for all their losses, not just for their land.

5:00

Again, it's kind of what I would want to call a silent freeze, to say that, "Well, we'll fully compensate you for your land" when in fact they had a business that they were going to build there. You know, we hear all the time that when it comes to land, it's location, location, location. If someone happens to have a great location and they're wanting to build maybe a golf course – they've got that opportunity there, and they have investors – and then the government in its wisdom realizes that, "Well, this valley really needs to be flooded; we need to put up a dam," do they lose that economic opportunity? It's tough to ensure that that economic opportunity is going to be realized anywhere other than the courts, where they can bring their case forward, they can present it to a judge and, hopefully, be able to be fully compensated and not just be told that, "Well, that land is only good for grazing" when, in fact, it has many opportunities to be upgraded.

We just really have concerns. Albertans have concerns. We want it to be a quick, easy process where people can go forward and be compensated properly. This bill goes a good ways down there, but we sure wish that you would have accepted our amendment on the preamble to really say that your intent is what you say it is and that you want to compensate for all losses and full market value, not merely just for the price of the land, which you have there.

With that, I'll step down and see if there's anybody else who wants to address this bill.

The Chair: Any hon. member wish to speak on the bill?

Seeing no other hon. member wishing to speak on the bill, the chair shall now call the question.

[The clauses of Bill 23 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Chair: Opposed? Carried.

Bill 21 Election Amendment Act, 2011

The Chair: The hon. Member for Edmonton-Gold Bar on the bill.

Mr. MacDonald: Yes. Certainly, on the bill, Mr. Chairman. We're looking at the Election Amendment Act, 2011, here. Of course, on the surface this bill provides that a general election must be held between March 1 and May 31 every four years, beginning with the period March 1, 2012. This bill does not impact the powers of the Lieutenant Governor.

Now, while this bill provides some certainty for when an election will be held, it seems to me that the writ period must be within the three-month period, but it maintains a wide-open window for political posturing as to the exact date. If I'm to look at this bill, I'm led to believe that you start on March 1 and you end on May 31, but the election essentially has to be over by that time, so you really don't have that wide open a window. It's not really what the government indicates it is publicly. It's a lot more limited than that, Mr. Chairman.

The government indicates that this is a made-in-Alberta piece of legislation. However, the reality is that Alberta faces no extraordinary situations that would make an actual fixed election date impossible. Eight other provinces have managed to have fixed dates, as has the federal government, and I'm not going to get into the federal government legislation, that was passed in 2007. I think we need to once and for all make a set date, have some flexibility for the Lieutenant Governor, and leave it at that. I don't think this election date, whether it's 60 days or 90 days and you have this window – there's no need for this window.

We can have a budget. We can debate the budget. We can pass the budget. This Legislative Assembly can do a lot of things, and then if the government and the Premier are confident, they can call their election. If they're confident with their budget and with their policies and with what they have done over the last period of years, then we can certainly have an election and let the citizens decide.

One of the things that concerns me, of course, with elections is the voter turnout rate, Mr. Chairman. The voter turnout rate seems to be going down and down and down, and it's puzzling. Everyone seems to have an opinion on the government, on any government, and they should be encouraged to express their opinion. Certainly, they have opinions on the government's performance, but for some reason they don't think that their voice matters or that their voice counts. I'm disappointed in that. If we had a fixed election date, I think we could start reversing that trend. People would know in advance, barring unforeseen circumstances like a Legislative Assembly in a minority position, and then we could go that route with a fixed election date.

What would be an ideal date? Well, with the legislation that's before us, it rules out the fall season. A gentleman phoned me up and said that he didn't want the election in the fall because it was hunting season. I thought: fair enough.

Mr. Mason: I didn't know that Ted called you.

Mr. MacDonald: No, it wasn't that Ted, but it was a gentleman that likes to get out and hunt.

Mrs. Leskiw: Very important.

Mr. MacDonald: Yes, it is a very important pastime for a number of people.

He didn't want to have it in the fall. That was one constituent with one issue. Now, I never thought to ask him if he had voted in the 2004 election, which was held in the fall. It never occurred to me.

I think we can do a lot better with encouraging people to vote. Now, what would be a suitable day? Well, we could pick any number of days. The Americans have a day, they have a week where they elect their President. It seems to work quite well, but it's in the fall.

5:10

We are limited here to the springtime, and the springtime may be the best time. University students, whom we really need to encourage to vote, are perhaps back in their hometowns and in their home cities from their semester, and they're working. They're paying taxes. They're noticing the taxes they pay on their pay stubs. Perhaps they will notice the performance of this government, and they will ask questions, or they will read with interest or listen with interest to what is being proposed, not only by the government but by all parties, and they will say: "I'm going to make an effort to vote. This matters. It's important. I'm going

to make an effort to vote. When is that election day?" That would be an example.

Seniors. Someone suggested to me that this government really likes to hold the election in the middle of the winter because many seniors are down south enjoying warmer weather, and they can't vote. Many seniors are very suspicious, for good reasons, towards this government. So if we have it in March, then, hey, the seniors aren't in play.

Then there are the farmers. What is a good time of the year for farmers? Well, the fall is harvest season, and farmers are very, very busy, but they're also very, very busy tilling and planting in the spring. So what's a good time?

When we reflect on Remembrance Day, which all hon. members, I'm sure, had the occasion to do, people were willing to stand up and fight and sacrifice, in some cases, unfortunately, their lives, in order that we live in a functioning democracy. Everyone over the age of 18, if they live here for six months and they're a citizen, gets the right to vote. Out of respect to those individuals, again, we need to encourage all citizens to get out and vote.

Fixed election dates, as we know, Mr. Chairman, were one of the Premier's campaign promises during the Progressive Conservative Party leadership race. "Fixed election dates give Albertans the opportunity to focus on issues that matter and mobilize for an election, without the behind-the-scenes deal-making and manipulation that sometimes characterize the timing of an election." That's a statement that the current Premier made when she was campaigning for the leadership of the Progressive Conservative Party.

Now, we are not the first Canadian jurisdiction to introduce a fixed election date, but we are the only jurisdiction that provides this three-month election window. I think we should have a look at changing that, Mr. Chairman, and I would like to at this time propose an amendment to this bill. [interjection] Yes, indeed, an amendment to Bill 21. I would take my seat and request that a page distribute this to all hon. members.

The Chair: The committee shall pause for the amendment to be distributed. This amendment is now known as amendment A1.

Hon. Member for Edmonton-Gold Bar, continue on your amendment.

Mr. MacDonald: Thank you. There is already controversy surrounding this amendment, Mr. Chairman, and hon. members who have another opinion can express that on the record.

Certainly, I'm going to read this amendment into the record: "Subject to subsection (1), a general election shall be held on May 8, 2012, and afterwards, on the second Tuesday in May in the 4th calendar year following polling day in the most recent general election." I think we should have a specific day for the general election. In this case the next one would be on May 8, 2012, and then the second Tuesday in May in the fourth calendar year following. So the second Tuesday in May would be the day that we would have the election. Now, it was a pleasure to hear the opinions of some hon. members adjacent regarding my suggestion.

In B.C. the election is to be held the second Tuesday in May every four years, with the first being held May 17, 2005.

Now, in Saskatchewan it's the first Monday in November. Saskatchewan is like Alberta. There is a lot of agricultural production; there is a lot of harvesting. But also in British Columbia there's a lot of farming activity.

Manitoba, it's interesting to note, amended their Elections Act in 2008, and the election is to be held on the first Tuesday in October every four years, with the first, of course, in October of this year. It recently happened.

In Ontario the Election Statute Law Amendment Act was passed five and a half years ago, I believe, and the election is to be held on the first Thursday in October, starting in 2007, and every four years or in the years that leave a remainder of three when divided by four. Now, this act does allow the day to be moved forward up to seven days if it conflicts with a cultural or religious holiday. That is interesting to note.

Now, in New Brunswick the election is to be held on the fourth Monday in September every four years.

In Newfoundland the House of Assembly Act and the Elections Act were amended in 2004. The legislation in Newfoundland provides that if the Premier resigns during the government's mandate, an election must be held within the year of the new Premier being sworn in. That's an interesting idea. The general election in Newfoundland is to be held on the second Tuesday of October every four years.

Now, the government here and the Premier's office suggested we have this in the spring. The rest of the country seems to, at least provincially, think that we should have this in the fall.

In P.E.I. the general election is to be held on the first Monday in October every four years, beginning in 2011. That's a jurisdiction that has significant agricultural production, and that's in the midst of harvest season. I don't think we can limit or restrict democracy because of one or more activities by a specific sector of the province.

In the Northwest Territories the general election is to be held on the first Monday in October every four years, beginning in 2007. It's interesting that the Northwest Territories decided to hold their election in October. A major motivation, as I understand it, for the fixed date was to attempt to mitigate the practical difficulties of holding an election during the winter.

Now, I have run for election four times for this Assembly, once in the fall, about this time of the year, and it was quite pleasant, actually. You didn't need the winter gear. You didn't need Sorels, you didn't need a toque, you didn't need mitts to go door-knocking.

5:20

It was a lot different than a March election. Three of the elections that I ran in as a candidate were held, of course, in March. In one election I remember, where you could only take one step off the sidewalk – the good people of Edmonton-Gold Bar are very diligent in keeping their sidewalks clean – the snow was up to your hip. You could only take one step off and put your lawn sign out. That was it. Conditions were, to say the least, quite harsh.

I suppose they're harsh for all different candidates, but in the last election in particular it was difficult for people to get out to vote. The hon. Member for Edmonton-Riverview would certainly relate to this, but I was embarrassed in the last election, which was conducted in March, to go to a polling station in the evening and find a family carrying through the snow – they were knee-deep in snow – their mother, who was confined to a wheelchair, to a polling station that didn't have disabled access. It was a school that didn't have disabled access, and it was embarrassing. I was embarrassed to see this family have to do that, but the mother really, really wanted to vote. I can appreciate their energy, but it was not the best. I think we can do better. Of course, in a May election you wouldn't have, hopefully, snow like that in this province.

Now, May is a very good time to hold an election. I think we could extend polling hours. Maybe we could have polling stations set up for two days so that individuals who are tilling and preparing their fields for seeding could have lots of opportunity to exercise their franchise. I don't think that should stop us.

I would really encourage hon. members: please, if we are committed to a fixed election date, then let's pick a date. This amendment certainly gives all the flexibility that's needed or that is necessary to do this, and I would encourage all hon. members of this Assembly to please consider making May 8, 2012, the date of the next general election in this province and afterwards on the second Tuesday in May in the fourth calendar year following. I think it's reasonable, I think it is what citizens would like, and I think it's workable for rural Albertans, for urban Albertans. I think that if we have a fixed election date, we can reverse the trend and increase those who are actually on the voters list. We can increase their participation, Mr. Chairman.

Thank you very much.

The Chair: On amendment A1, the hon. Member for Edmonton-Highlands-Norwood.

Mr. Mason: Thank you very much, Mr. Chairman. I'm happy to rise and speak to this amendment being put forward by the hon. Member for Edmonton-Gold Bar. Now, this amendment improves the present act. It doesn't make it perfect, but it improves it by setting an actual date.

Actually, when I first heard of the government's intention of bringing forward a three-month fixed election period, I was a little bit taken aback, to say the least. In fact, I kind of chuckled about it because it seemed so obviously not really what the government or what the Premier promised. But, obviously, it's what the caucus decided.

The amendment at least makes a specific date, narrows it down, so it improves it. Now, it doesn't necessarily mean that it's the right date, which is the problem. The hon. member is proposing a date. It's better because it's one date instead of 90 days, but it's just a picked-out date.

I know that I or my colleague the hon. Member for Edmonton-Strathcona will be bringing forward an amendment, should this one and others not pass, that would require the Premier to consult with the opposition parties and fix a date within six months of the election for the next election four months away, within the range set out in the act.

Mr. Chair, I have to say that this government's action with respect to this really did lift the scales from my eyes with respect to how this new Premier was going to conduct herself and what the tone of this Premier and the government, the cabinet that she's appointed, was going to be. I actually had a glimmer of hope and a thought that, in fact, this would be more consultative, that the new Premier and her new cabinet would in fact change the way the government had traditionally related to the public and to the opposition parties and to this Assembly.

Those illusions were quickly shattered when I heard about this. The way I imagined this happening, Mr. Chairman, was that a government that actually wanted to involve opposition parties and show respect for the Assembly and take into account other views and other interests aside from the narrow self-interests of the Progressive Conservative Party would have done this quite a bit differently. The Premier would have talked to other opposition parties, would have had some discussions about it.

You see, the election, Mr. Chairman, is something that affects us all. The whole point of having fixed election dates is to reduce the unilateral advantage that the governing party has in the British parliamentary system that allows the government to call an election when it's ready to go, in its own interests and not necessarily in the interests of fairness and certainly not of other political parties. It gives an unfair advantage.

It's clear to me that this government does not want to give that up and is not prepared to have a conversation with other opposition parties to recognize that they also have an interest in the election, not to mention the interest that the public as a whole has in the setting of an election. You know, it's clear to me that the same sort of arrogant, unilateral, self-supporting attitude has not changed.

I will support this amendment, but should it fail, what I'd really like to do is put forward an amendment that would require the Premier to consult with other party leaders in the Assembly within six months of an election and then set the date for the next one within the parameters, the three-month parameters, that have been set out in this act.

Mr. Chair, I recognize that this issue probably doesn't have a lot of saliency outside of this place, that this would be something that Ralph Klein would have referred to as something that's under the dome, not something that the public as a whole really cares a whole lot about, but to me it is a very telling act by the new Premier. To completely exclude other parties, to refuse to answer questions put to her in question period with respect to this piece of legislation, and to impose through the force of its majority its political will on this Assembly and on the province is quintessentially how this political party, the Progressive Conservative Party, has conducted itself for the last 15 or 20 years. It's very high handed, it's not really very democratic, and it is manipulating the tools of power for its own benefit. I guess that people on the opposite side are so used to this that they really don't think that there's anything wrong with it. They think that it's the norm. They think that that's how you do politics, and maybe it is.

All I know is that I actually listened to the new Premier when she was running for the leadership of the Progressive Conservative Party and in the short period of time after she was elected, and I actually had some hope that things were going to be different and that things wouldn't be quite so arrogant and high handed as they are. But that did not come to pass, and I really do regret that, Mr. Chairman. I thought that there was actually some substance behind the words.

5:30

Even though this does provide a 90-day period for an election and really does, you know, kind of fix it and the public probably doesn't care whether it's 90 days or one day, what it says to me is that this is a broken promise. This is something that was promised and has not been delivered. It's a facsimile of what was promised. You know, I think I called it a cheap knock-off of the actual gift that was promised. It is enlightening to me at least, and I think it's going to be enlightening to lots of people in this province when they really begin to think about how much the Premier's promises are actually worth.

Mr. Chairman, having made those comments, I am prepared to support the amendment because it improves the act because it actually narrows down the 90 days to one day, but I think that what it lacks is a process by which in a mutually respectful way the various political parties are consulted with in arriving at an election day or a fixed election day. So I'll support it, but I have scant hope that it will pass.

Thank you.

The Chair: On amendment A1, the hon. Member for Fort McMurray-Wood Buffalo.

Mr. Boutillier: Thank you, Mr. Chair. I appreciate that. Pertaining to the amendment put forward by the hon. member, I certainly appreciate the fact that he is trying to move from a period of over

90 days to zoom in on fixed election dates like in other provinces where it's actually only one day. I do agree, to the hon. member, that his amendment is an improvement from what had taken place on the opposite side, the government, relative to what this means.

Now, I will say that on fixed election date quotes pertaining to the amendment, it was on October 5 in a *Calgary Herald* online chat, a Sunday, where it said that it would be after a spring sitting and a budget and a throne speech. This is of course coming from the other side. It said that it could be June. Sometimes the Legislature takes on a life of its own, so it is a little unpredictable.

Then on September 23, 2011, in the Canadian Press relative to the amendment the Premier said that she would commit to calling an election in March 2012, her quote, and every four years from that date. Now, she said that Albertans are supportive of the idea and that several other provinces already use the same model. Well, to be quite clear, she said also that fixed election dates are important because they understand the issues that are coming. They don't believe any political party should have, even if it is theoretical, an upper hand in managing the political agenda and then picking the date accordingly. She goes on then and is quoted on the amendment, Mr. Chairman, as saying that the status quo of no election dates needs to change so as to deny the government the behind-the-scenes deal-making and manipulation that characterizes the timing of an election.

Then again in an interview on the *Rutherford* show on QR77 and 630 CHED on October 25 she goes on again to say: when I make a commitment, I keep it; I'm not going to start making willy-nilly pronouncements when they want me to, and I hope the Legislature will be satisfied with the approach we take on fixed election dates. Fixed election dates give Albertans the opportunity to focus on issues that matter and to mobilize for an election without the behind-the-scenes deal-making and manipulation that sometimes characterizes the timing of an election, said Premier Redford.

The candidate: personally, I was very disappointed by the voter turnout in 2008 when I was elected, of course, because I think it truly failed to engage the public in the most important democratic right, voting. In some ways low turnout may indicate the lack of faith in this system, and that is a very dangerous road to travel. I'd like to reverse that trend. I think the hon. member who's put forward this amendment is actually zeroing in on something that's very important; that is, picking a date, not a season, not one month or another month or another month. It's almost like saying – can you imagine? – when you have your birthday: well, your birthday is in this season. You know, you're not born on a day; it's in the season.

Well, the bottom line, let me say, for those that are following the holiday season and the Christmas season: "Guess what? December 25 is the day, for those who are Christian, relative to an important date in history." Now, I sincerely say, Mr. Chairman, that an election date is certainly not as important as December 25, but I will say this. Why do we continue with the games? Okay. Honour the commitment that was made. Clearly, with the amendment that's being put forward, I do believe that we're beginning to zero in on something that we refer to not as an old boys' club because right now the old boys' club is alive and well for that three-month period of the season.

It's really interesting that you really have to take every word of this government and look at the true meaning of what is being said. In my judgment, that is very unfortunate because it really doesn't zoom in on the commitment and the promise that was made by this Premier when she was running for the PC leadership.

That being the case, Mr. Chairman, certainly, I believe that the date that is being put forward in the amendment is at least, if

anything, making the best out of, you know, a promise that was not delivered when this person as the head of the PC Party decided to come forward and say that she would have fixed election dates when, in actual fact, she has a fixed election season.

You know, I've seen the movie with Bill Murray called *Groundhog Day*, and I think that Chevy Chase was in *Groundhog Day* as well, but it's almost as comical as when you say you're going to have a fixed election day and here you are within a three-month period, or 90 days or 91 or 92 days. It's almost laughable. It's actually as laughable as the actual movie *Groundhog Day* because every day is repeated. Perhaps the old boys' network wants to go ahead and repeat every day so they can get everything ready for them because they know it's unavoidable. They have to go ahead and have an election.

This member has put forward, I think, an improvement from the commitment that was broken as well as the date. Now, is May the time? In the time that I have served as an alderman or a city counsellor or as a mayor or as an MLA, I don't ever actually recall campaigning in May. Certainly, it's far better than the season, you know. We all know that in March we have freezing rain going on.

Mr. MacDonald: The Stanley Cup playoffs.

Mr. Boutilier: And, of course, the Stanley Cup playoffs, that the member makes reference to. As we know now, the Stanley Cup actually goes to almost mid-June because of the length of the playoffs. Certainly, it's my hope and prayer that either Calgary or Edmonton are in the playoffs again this year, but only time will tell.

5:40

That being the case, Mr. Chair, you know, the amendment that I'm speaking to is at least a good first step, and it's certainly a better step than what has been offered in the broken promise on the other side. For that reason, I will support the amendment. But I would say that I anticipate that there will be a Speech from the Throne. After the Speech from the Throne, the Minister of Finance wants to go ahead and deliver a budget, and I think that this government will not dare to try to come back into this Assembly with a budget. What they will do is go and ask for a mandate from the people of Alberta. My goodness, how simple is that?

So why couldn't the Premier have just simply said: "We're going to have a Speech from the Throne in February. The Lieutenant Governor will go ahead with the mandate of this government of 40 years, old and tired as it is. We'll talk about democratic rights." Why couldn't she just simply say, "With the Speech from the Throne I will drop the writ and go for an election," which means sometime in February, meaning that based on the season that she's talking about, the actual election would be in March. She then, Mr. Chair, would indicate: oh, well, I said sometime between March – nowhere in the comments that have been made by the new leader did she talk about when it would be announced. Again, that's part of the old boys' network. They didn't consult with, of course, any other political party because they're interested in two things: power and holding onto power. That's rather unfortunate because it is an assault on democracy.

You can learn from the many other provinces that have fixed election dates as opposed to seasons. Only this government of 40 years thinks in terms of seasons, which means that, really, when they have a birthday, it can be over a 90-day period as opposed to a fixed date. That's unfortunate.

Let me conclude, Mr. Chair, by saying that I anticipate that in February there will be a Speech from the Throne. After the Speech

from the Throne the Minister of Finance will come up with some goodies to buy back Albertans' support, but he will not have the courage to debate all of that, his budget, in this Assembly. Ultimately, we will then, of course, go to an election.

Could they have done that in an open and transparent manner? No. They couldn't. Why? Because the old boys' network is alive and well still on this government side.

Thank you, Mr. Chair.

The Chair: Any other hon. member wish to speak on amendment A1? The hon. Member for Edmonton-Riverview.

Dr. Taft: Yes. Thank you, Mr. Chairman. I rise to speak in favour of this amendment, which has been brought forward by the eminent and hon. Member for Edmonton-Gold Bar. The bill proposes that the next election "be held on May 8, 2012, and afterwards, on the second Tuesday in May in the 4th calendar year following polling day in the most recent general election."

Mr. Chairman, I thought it might be interesting to look at the significance of May 8 in history, some of the things that happened on May 8 in history, just so we, you know, really get it into our minds. Some of these are a little bit more political or less political, but they could all be read as political.

On May 8, 1921, Sweden abolished capital punishment. How about that? I bet there were a lot of politics around that. I wonder if there was even a general election? I have no idea.

May 8, 1945: a different form of politics, the most brutal kind, Canadian troops move into Amsterdam.

May 8, 1952: this could be the event that launched the career of any number of people in this Assembly because on May 8, 1952, *Mad Magazine* was launched. I bet the hon. Member for Edmonton-Highlands-Norwood was a big reader of *Mad Magazine*. I was, too.

In 1968 Catfish Hunter pitched a perfect game. That's what the Alberta Liberals are going to do in the next general election on May 8, right?

On May 8, 1970, the Beatles released what could be the theme song of the PC Party in Alberta, *Let it Be*.

In 1971 Joe Frazier defeated Muhammad Ali so he could continue. I'm just trying to bring a little levity into an afternoon session that's gotten a little grim at times, Mr. Chairman.

Like so many who have commented before me, I think the government's effort of bringing in a fixed election season is woefully inadequate. It's a silly kind of compromise, a half-hearted effort. Every other province in Canada that has a fixed election date actually has a fixed election date, municipalities in Alberta, the U.S. federal government, and on and on. There's no big science, no big trick, no big problem to having a particular date on which elections are held. It's beyond me why this government chose an election season, other than that we have some kind of riff within the Tory caucus between the Premier, who probably wanted a set date, and a lot of backbenchers who just weren't going to follow along. So – I don't know – somebody internally negotiated this silly compromise.

Mr. Chairman, it's important to note some things about fixed election dates. First of all, the starting point for all of this is that under the Charter of Rights the number one right, the very first right of Canadians is the right to vote. Okay? That's the fundamental activity of a representative democracy. If we move forward from there to protect the right to vote, well, let's think for a minute about that. What does it mean to have the right to vote? If we have the right to freedom of religion, that doesn't require the government to do anything. We can just go ahead and pray to whomever we want. We have the right to free speech. Again, it doesn't put any big onus on the government to do anything.

But think for a minute about the right to vote. You cannot have the right to vote unless the government sets up a voting structure, and it's not a meaningful right to vote unless that voting structure or that voting system works properly. Over the last 25 years or so in Canada the courts have actually ruled repeatedly on this and have expanded on what it means to have the right to vote. That's based on a much wider discourse or approach across democracy and across democratic philosophy.

In order for the right to vote to exist, the government has to put in place a meaningful voting system. What does a meaningful voting system require, Mr. Chairman? Well, it requires a whole bunch of things. It requires a place to vote. It requires a school or a community hall or a voting station somewhere. It requires people to work either as volunteers or paid staff at the voting stations and throughout the voting period, the returning officers and enumerators and so on. It requires a way to identify voters, a voters list. And it requires a system to enforce all of that and to finance all of that. In other words, a well-run election system requires an awful lot to be put in place. Those are practical challenges, Mr. Chairman.

For those practical challenges to be met when there is no fixed election date makes it much more difficult for the election apparatus to be put in place. How do you rent a hall for a polling station if you only know four weeks in advance when the vote is going to be held? It's particularly a challenge when the economy is booming. How do you recruit staff to enumerate if you're having to guess when the election is going to be held? How do you build the voters list and on and on?

I predict that the day will come when the courts in Canada actually press governments to settle on an actual fixed election date because as our understanding of what's involved in the right to vote expands, we begin to realize that a whole lot of things have to be put in place. There's only one sensible way to do that, and that's by beginning with a fixed election date.

5:50

Mr. Chairman, I think this is an important – an important – amendment. Let's just turn this around and ask ourselves: what happens if this amendment doesn't go through? If it doesn't go through, we're stuck where we may have the returning officers in each constituency, but are they able to rent an office space when they have to guess the date and the month the election is going to be held? Well, it's a lot more difficult. "Let me see, Mr. Landlord. I might need that office next month or, oh, maybe the month after or maybe the month after that. I don't have the money to rent it for all three months because I don't need it for all three months." What's the landlord's response going to be? "Well, you know, I'm not going to rent to people like that."

What about hiring enumerators or other election staff? Again, you're left with this huge uncertainty. All of that weakens the electoral system, the electoral machinery, and in turn all of that increases the risk that people's right to vote will be infringed or even denied, Mr. Chairman.

So while this seems like a fairly small amendment, I think it's of fundamental importance. I don't see the downside to this, honestly. I look across at the government. What have you got to lose here? I don't understand the government's position. When we look at so many other provinces with fixed election dates, I think this is one that is kind of embarrassingly weak from this government and mysterious.

I would urge all members to just go ahead and support this amendment, and then we'll move on. Thank you, Mr. Chairman.

The Chair: On amendment A1, the hon. Member for Calgary-Currie.

Mr. Taylor: Thank you very much, Mr. Chair. It's my pleasure to rise and speak to amendment A1 on Bill 21, the Election Amendment Act, 2011. I understand that if you're going to try and amend subsection (2) and narrow it down from a floating fixed date to a truly fixed date, you have to pick a date. I appreciated the rationale that the Member for Edmonton-Gold Bar gave for picking the date that he did. I don't see any particular flaws in that logic. I think other dates could have been chosen as well. Again, it comes back to the notion that either you are going to pick a fixed election date, or quite frankly you might as well not go through this exercise at all.

To say that you're going to have a fixed election season or a range or whatever you want to call this 90-day period is, in many respects, I think, making a mockery of the whole notion of fixed election dates, in any event. You're either in or you're out. You either go big or you stay home. There's no such thing as being a little bit pregnant, and there's no such thing as having a 90-day fixed election period.

Although I have reservations of this whole concept of trying to set fixed election dates within the context of parliamentary democracy and the constitutional conventions that surround that because as we saw in the last federal election, you can pass a, quote, unquote, law that sets a fixed election date and then turn around and break your own, quote, unquote, law when it suits your political purposes because this, quote, unquote, law is not really a law at all any more than when you're watching a car commercial on television and it claims you will get 38 miles per gallon, and then down below you see in the small print that that's the EPA, the Environmental Protection Agency, rating and that your mileage may vary. This is an exercise we're going through in making it look like we're doing something here, but it's not really committing anybody to anything.

When you have a fixed election date or a fixed election range within our system of government, within our system of democracy, you really depend on the word and the good graces of the Premier of the day, and you depend a heck of a lot on faith, Mr. Chair, for the election to actually happen on the date that was prescribed in the, quote, unquote, legislation.

Having said all that, if we're going to go through this dog-and-pony show to begin with, then I would prefer that we do it properly. I would prefer that we pick a fixed election date so that if the Premier in her wisdom or the Premier's successors in their wisdom – or perhaps the voters will show that it was a lack of wisdom – decide to violate this fixed election date that's being set, we all, the people of Alberta, can see very clearly what date they violated as opposed to: well, you know, we said it could be in March or it could be in April or it could be in May or somewhere in around there because you never know when it might snow. Gosh.

Somebody on the other side of the House actually asked somebody on this side of the House earlier this afternoon whether they had the ability to predict disasters. I would turn that question right back around on the government and ask if anybody in the government has the ability to predict what the weather is going to be on election day early enough in advance to honour or to back up – because I don't think there's much honour involved in it – the contention of the Government House Leader that: "Well we need this 90-day period because you never know. If we've had a really harsh winter, you know, maybe we want to hold the election later in 2016 as opposed to earlier in 2012 if this one turns out to be a mild winter." I don't know if this is parliamentary language, Mr. Chair, but that's just a load of hooey. It's an absolute load of hooey. We'll see if that passed parliamentary language muster or not.

I mean, it will be 2012 by the time the next election comes along. There are some of us who believe that it's about time that some serious investigation was done into the possibility of allowing the people of Alberta to vote electronically, to vote on the Internet to elect their next government. It certainly is something that needs to be tried as some kind of a pilot project at some point because, Mr. Chair, if I can do my banking online and not fear that all my money is going to be ripped off and end up in the hands of a Nigerian prince somewhere, then I can certainly trust security measures around a general election online. I see no reason why we can't go there.

Having said that – because I don't think we're going to be there in time for the next election – most people have car heaters, block heaters, in their car. Most people have a means of getting around in a snowstorm. If there's just a terrible, awful snowstorm on election day, well, that's unforeseeable 28 days out, let alone 28 months out. Sometimes that sort of stuff happens, right?

Here's the thing, Mr. Chair. We live in the province of Alberta. I live in the great city of Calgary, one of whose claims to fame is that it has snowed every month of the year in Calgary. I remember that, I believe, in 1991 – we'd have to fact check this because I'm going from memory – in Calgary the warmest day of the year was in February. It got up to 22 degrees. For Stampede parade that year in July we were all watching it wearing parkas. So you can't use weather as an excuse to have an election or not. Elections can go ahead and must go ahead and will go ahead regardless of what Mother Nature is doing on election day. These folks, prescient as they are, on the government benches, brilliant as they may be, are no better at predicting the weather than the average guy on the street.

The Deputy Chair: The chair hesitates to interrupt the hon. member. It's 6 o'clock. Under Standing Order 4(4) the Committee of the Whole is in recess until 7:30 p.m.

[The committee adjourned at 6 p.m.]

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Managing Editor
Alberta Hansard
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EDMONTON, AB T5K 1E4
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