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The 27th Legislature
Fourth Session

Alberta Hansard

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Issue 45

The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta The 27th Legislature

Fourth Session

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Zwozdesky, Gene, Edmonton-Mill Creek, Deputy Chair of Committees

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Bhardwaj, Naresh, Edmonton-Ellerslie (PC)
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Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)
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Progressive Conservative: 68 Alberta Liberal: 8 Wildrose Alliance: 4 New Democrat: 2 Alberta: 1

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Swann
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Legislative Assembly of Alberta

1:30 p.m.

Monday, December 5, 2011

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon. Welcome back.

Let us pray. At the beginning of this week we ask for renewed strength in the awareness of our duty and privilege as members of the Legislature. We ask for the protection of this Assembly and also the province we are elected to serve. Amen.

Hon. members, ladies and gentlemen, and boys and girls, we will now be led in the singing of our national anthem by Mr. Paul Lorieau, who is in the Speaker's gallery. I would ask that all join in in the language of one's choice.

Hon. Members:

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

The Speaker: Please be seated.

Introduction of Visitors

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

Mr. Weadick: Well, thank you, Mr. Speaker. I rise today to introduce to you and through you to all members of this Assembly Mr. Urs Strausak, the consul general of Switzerland. This is Mr. Strausak's first visit to Alberta since being named consul general in May. Perhaps this may come as a surprise to some Albertans, but the Swiss helped shape our province's history. The Swiss provided much-needed mountaineering expertise in the early 1900s to help establish one of Alberta's greatest treasures, our Rocky Mountains. The towns of Stettler and Blumenau were also founded by the Swiss at the turn of the century. Today Alberta continues to have positive trade, education, and cultural relations with Switzerland, which we look forward to growing in the years to come. I would now invite Mr. Strausak to please rise and receive the traditional warm welcome of this Assembly.

Introduction of Guests

The Speaker: The hon. Minister of Culture and Community Services.

Mrs. Klimchuk: Thank you, Mr. Speaker. To you and through you to all members of this Assembly I would like to introduce a group of very bright individuals who are visiting the Alberta Legislature from the Edmonton-Glenora constituency. We have with us today 27 elementary students from St. Vincent Catholic elementary school, who are seated in the members' gallery. I had the privilege of taking a picture with them, and they are accompanied by their instructors. As I've said many times before, we usually have grade 6 students with us. Today we have grade 3 students, so it is wonderful to have them here. I'd ask them to all

rise so that my colleagues may join me in giving them a warm welcome to the Legislature.

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

Mr. Prins: Thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members 10 students from the Countryside Christian school in Edberg. They are in grade 8. They're accompanied by their teacher, Mr. Justin Thiessen, and Mrs. Monica Thiessen. Many of these students were here last year to observe the Legislature, but they were unable to watch the proceedings, so they've come back especially to watch us today. I would ask them to rise and receive the traditional warm welcome of this Assembly.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all hon. Members of the Legislative Assembly a visiting class from Mother Teresa Catholic school. There are 20 visitors: 18 students and two adults. The group is led by Melissa Guzzo, the teacher, and also educational assistant Ms Caren Robertson. This grade 6 class is very excited to be participating in the School at the Leg. this week. Mother Teresa is another fine example of the quality education that's provided by our separate school board in this city. They're in the public gallery, and I would now ask them to please rise and receive the traditional warm welcome of the Assembly.

Thank you.

The Speaker: The hon. Minister of Infrastructure.

Mr. Johnson: Thank you, Mr. Speaker. It's a privilege to rise and introduce to you and through you to members of this Assembly a good friend of mine who is also a constituent. We grew up together in Camrose. He now lives in Athabasca and runs an oil field construction company in northern Alberta. I'd ask Darryl Andres to stand and receive the traditional warm welcome of this Assembly.

I have one other introduction, Mr. Speaker, to you and through you to members of this Assembly, a group of very special folks from my ministry, the Infrastructure capital projects staff, who have recently been recognized with a very prestigious national award, the Canadian award for quality, at the silver level. Excellence Canada awards government and private-sector organizations in recognition of their pursuit and commitment to excellence in performance improvement. These recipients were also recently mentioned in the past week's *Financial Post*. They do a fantastic job in a very busy ministry.

They're seated in the gallery, and I'd ask them to rise as I say their names. We have Assistant Deputy Minister Diane Dalgleish, Rory Mauricio, Sandi Ausmus, Richard Knutton, June Sadiq, Allan Foo, Brian Oakley, Elise Nelson, Gordon Stead, Kathryn Perepelecta, Tony Figueiredo, Rafique Khan, Wayne Fournier, and Tessia Williams. I'd ask the Assembly to please thank them with our traditional warm welcome.

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

Mr. Zwozdesky: Thank you very much, Mr. Speaker. It's always a great pleasure to introduce to you and through you to all members of the Assembly some of my outstanding constituency members from Mill Creek, whose purpose I will elaborate on shortly. I will call their names and ask each of them to rise as I do so, and then we can greet them all together: Mr. Anuvir Bhullar,

president and founder of Green Scholars of Alberta; Mr. Varinder Bhullar, Anuvir's father and secretary of Green Scholars of Alberta; Mrs. Arvinder Bhullar, a charter member of Green Scholars of Alberta and Anuvir's mother; and finally, Anuvir's grandfather, who is a strong supporter of Green Scholars of Alberta, Mr. Mohinder Bhullar. I would ask the Assembly to please greet my four guests with the usual accolades. Thank you for being here.

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

Mr. Elniski: Well, thank you very much, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of this Assembly an exceptional young lady from St. Vincent school in the Edmonton-Glenora constituency, Miss Julia Bowen. With Julia today is her mom, Mrs. Miranda Bowen; her dad, Brian Leach; and her aunt, Crystal Bowen. I'd ask them to rise and receive the traditional warm greeting of the Assembly.

Thank you.

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

Mrs. Sarich: Thank you, Mr. Speaker. It is a pleasure to introduce to you and through you to all Members of the Legislative Assembly eight guests here representing the Edmonton Catholic school board district and the Ukrainian Catholic eparchy of Edmonton. Edmonton Catholic schools continues a tremendous legacy here in the city of Edmonton of enriching Catholic education today that has existed since 1888. My guests are here today in recognition of Edmonton Catholic schools' first annual Holodomor Memorial Day, which occurred on November 25.

As I mention their names, I would ask them to please rise. The guests include His Excellency Most Reverend Bishop David Motiuk from the Ukrainian Catholic eparchy of Edmonton; Mrs. Debbie Engel, board chair and trustee for ward 74; Mrs. Becky Kallal, vice-chair and trustee for ward 71; Mrs. Joan Carr, superintendent of schools; Mr. Boris Radyo, assistant superintendent; Mrs. Debbie Rowley, principal, Austin O'Brien high school; Mrs. Danielle Fortier, principal, École Frère Antoine elementary school; and Mr. Taras Podilsky, principal, St. Martin elementary school. I would now ask that the Assembly please give them the traditional warm welcome.

Thank you.

1:40

Mr. Anderson: Mr. Speaker, it is my pleasure to introduce to you and through you to all members of this Assembly three new staff members for the Wildrose caucus – if they could please stand as their names are called – Lianne Bell, Evan Menzies, and Brad Tennant. We are very happy to have them onboard. Lianne is joining us as our new project officer. Evan is the assistant director of communications and is doing an excellent job in that role, and Brad has come onboard to be the Legislative assistant for myself and the Member for Calgary-Fish Creek. I would ask them to please rise and receive the warm welcome of this Assembly.

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

Mr. Allred: Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to the Assembly a constituent of mine who has just had published a very interesting book entitled *Dismissed*. The book is about her trials and tribulations as a victim of our electronic gaming machines. This courageous woman has laid her life out for everyone to see, describing her battle with VLTs, the crack cocaine of gambling,

and her fight with the bureaucracy to understand the real figures behind our government's gambling addiction. My guest is seated in the members' gallery. I'd ask Gisele Jubinville and her husband, Len, to please stand and be recognized by the Assembly.

The Speaker: Are there others?

Then, hon. members, would you join with me in wishing a happy, happy birthday to the hon. Member for Lesser Slave Lake.

Members' Statements

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

Green Scholars of Alberta

Mr. Zwodzesky: Thank you very much, Mr. Speaker. It's always such an honour to rise and recognize the truly outstanding accomplishments of our constituents and particularly so when those constituents are youth. Today my accolades are in support of a very new and very important not-for-profit group called Green Scholars of Alberta. This group was founded by my constituent Mr. Anuvir Bhullar, who I introduced earlier. He's a grade 12 honour student at Old Scona academic high school here in Edmonton.

Anuvir created the Green Scholars of Alberta in honour of his grandmother, Rajinder Kaur Bhullar, who passed away very recently from cancer. Soon after her funeral and along with the hon. Member for Edmonton-Ellerslie we attended the special tribute in the Mill Creek ravine which culminated in the planting of a small tree that we hope will live forever in honour of Mrs. Bhullar. The connection, Mr. Speaker, is that Mrs. Rajinder Bhullar may very well have contracted her cancer because of the improper use of field pesticides in her native country, India.

As a result of this, the Green Scholars of Alberta was established to increase everyone's environmental awareness in our own communities. Green Scholars of Alberta wants all of us not only to be cognizant of our environment but also to practise more environmentally friendly lifestyles and habits. They also want us to follow the three environmental Rs: reduce, reuse, and recycle. These simple but effective strategies will help us to protect and preserve our precious environment, an environment that responsible citizens know we are only borrowing for a short time from our children and from future generations.

I fully support the Green Scholars of Alberta, and I would like to add two more Rs for implementation. First, let's rethink our own daily habits and how they impact our environment, and second, let's reinforce the positive messages that our youth are espousing on behalf of our environment. I would ask everyone here to please visit their website and/or to contact them directly by e-mail at greenscholars.alberta@gmail.com.

Mr. Speaker, young, concerned youth such as Anuvir deserve our full attention, our encouragement, and our full support. [Remarks in Punjabi] One hundred thousand congratulations. [As submitted]

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

How Alberta's Grinch Stole Christmas

Mr. Chase: Thank you, Mr. Speaker. With only 20 shopping days left Alberta's Grinch has a mixed bag of presents for her subjected. Very quickly after assuming the provincial throne, she gave us hope by releasing the teachers held hostage by the current minister of inhuman services. While smiles were temporarily restored to the children's faces, the same cannot be said for their

parents about to receive a shocking 48 per cent increase in their power bills this month.

The biggest grin is on the faces of TransAlta Utilities, who, inspired by Enron's electricity market manipulation, scored over \$4 million at Alberta ratepayers' expense. This is just the first small installment of the gift that keeps on giving courtesy of the government's transmission overbuilt contract commitments to export electricity.

While the Grinch wouldn't consider a judge to lead a public inquiry into health, by her royal decree the chair of Members' Services appointed one to review MLA salaries and benefits.

Instead of the promised \$400 monthly increases to their benefits, AISH recipients will only find empty IOUs in their stockings this Christmas. The saddest expressions will be on the faces of long-term care residents and their families, who found themselves sold out to the highest building bidder by the Grinch when she took the cap off their residence fees and turned seniors into marketable commodities. Persons with developmental disabilities together with injured workers who qualify for but do not receive benefits owed to them by workmen's compensation and those thousands of Albertans who, like farm workers, don't even qualify for benefits or safe workplaces will be experiencing an especially blue Christmas this year.

While visions of clear-cuts and outages,
Dance in our troubled heads,
We'll recall the broken promises of
The Grinch we've all come to dread.

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

Edmonton Catholic Schools Holodomor Memorial Day

Mrs. Sarich: Thank you, Mr. Speaker. Upon the recommendation of His Excellency Most Reverend Bishop David Motiuk of the Ukrainian Catholic eparchy of Edmonton the Board of Trustees of Edmonton Catholic schools on May 31, 2011, unanimously supported and declared in perpetuity that the last Friday in November will be dedicated as the Holodomor Ukrainian Famine and Genocide Memorial Day within the school district. Many Albertans and Canadians know that the Holodomor was a genocidal famine engineered by the Soviet Union in 1932-33 to attack and murder millions of people in Ukraine and to destroy the religious, political, and cultural identity of a Ukrainian nation.

Mr. Speaker, the impact of the decision by the Edmonton Catholic school board demonstrates leadership by acknowledging the historical importance and tragedy of the Holodomor and its significance to more than 300,000 Canadians of Ukrainian origin who live in our great province of Alberta. In addition, it affirms a commitment to social justice issues while underscoring a mission to awaken and educate the social consciousness of children and youth to have a shared determination to work for a more socially just world.

Mr. Speaker, the Holodomor is a mandatory topic of study in the Alberta curriculum, and Edmonton Catholic schools is collaborating with the Alberta branch of the National Holodomor Education Committee to create educational resources that will supplement the Alberta social studies program of studies. Also, Edmonton Catholic schools has made a commitment to develop and align the appropriate additional education resources for elementary and junior high schools, which will be made available across the province.

On November 25, 2011, 38,000 staff and students in the Edmonton Catholic school district recognized the first annual Holodomor Ukrainian Famine and Genocide Memorial Day. Mr. Speaker, I would like to wholeheartedly commend the Edmonton

Catholic school board and the district for their role of leadership in that effort and to give thanks for adding immeasurably to the education of children and youth in the city and in our great province.

Truly, the remembrance of the Holodomor will never be forgotten through the public words spoken in the hallways and classrooms within Edmonton Catholic schools.

*Thank you, Mr. Speaker.**

Oral Question Period

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

Public Health Inquiry

Dr. Sherman: Thank you, Mr. Speaker. Last week you rightly corrected me when you said that a review of MLA pay came after you received a request from the Premier. The Members' Services Committee met and just two weeks later appointed a retired Supreme Court judge to investigate MLA pay. Why won't the Premier take out a pen and write a letter requesting a public inquiry into critical problems, many life-threatening critical problems, in our public health care system?

Ms Redford: Mr. Speaker, I think we've had a very successful session of the Legislature this fall, where we've introduced legislation that's mattered to Albertans. One of those pieces of legislation will do exactly what the hon. member has asked for.

Dr. Sherman: Mr. Speaker, it may accomplish what we want after a nice, long delay tactic.

Given that the Premier returned \$107 million in education dollars, which we all support in this House, and given that the Premier also suspended two huge transmission lines, is the Premier honestly telling Albertans that she can do all of that with the stroke of her pen, but she's unable to keep her main campaign promise to Albertans to immediately call a public inquiry under the Public Inquiries Act?

1:50

Ms Redford: Mr. Speaker, I appreciate the comments of the hon. Leader of the Opposition because what he has illustrated is that this government, since this party assumed new leadership, is keeping its commitment to Albertans. We will continue to do that. I hope that the opposition, in the spirit of that, will ensure that this legislation passes because we want to keep those commitments, and we will.

The Speaker: The hon. leader.

Dr. Sherman: Thank you, Mr. Speaker. The only thing that's changed is that they've become better at stonewalling.

Given that absolutely nothing can change the fact that health care workers just don't trust the government to run a fair review process – the same government that brought in the code of conduct, the same government that was firing nurses when we needed them, the same government that wrecked the system, and the same government that created a culture of fear and intimidation – and that the Premier promised a process Albertans and these health care workers would trust, what is she trying to protect her government from by breaking this promise?

Ms Redford: Mr. Speaker, it is important for Albertans to be able to trust the health care system. One of the reasons they're going to be able to do that is because we are going to have an independent

* The text in italics exceeded the time limit and was not read in the House.

public inquiry that's going to ensure that information that Albertans want will be available. At the end of the day what Albertans want to know is that this is a system that they can rely on. I have confidence that through this process we will have kept our commitment to Albertans, we will find out what Albertans want to know about the health care system, and we'll be able to move on and trust and respect the professionals running the system.

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

Dr. Sherman: Thank you, Mr. Speaker. The Premier is correct in that you can absolutely rely on front-line health care workers to care for you, but you can't rely on the government.

PC Party Benefit Plan Trust

Dr. Sherman: A change of pace. The game of he said, she said playing out between the Premier and the PC Party president last week regarding the PC Party top-up to the Premier's \$300,000 salary and benefit plan has Albertans confused. When asked about the salary top-up scheme, the PC Party president said that there's a lump sum and that if there's any excess, it has to be accounted for by the leader. Will the Premier stop ducking the issue and tell . . .

The Speaker: The hon. Premier.

Ms Redford: Mr. Speaker, I think the leader is confused because where we are is that there were comments made last week, as I understand it, with respect to what previous arrangements may have been. I was very clear on Friday that I believe there are certain expenses related to the work of the leader of the Progressive Conservative Party that it would be inappropriate for government to pay for. That is for party donors to pay for. I have not received any funds. If I do, I will publicly disclose them.

Dr. Sherman: Given that the Premier will receive a salary top-up, as confirmed by the PC Party president, will the Premier tell us what the party paid the previous Premier as his top-up?

Ms Redford: Mr. Speaker, the hon. Leader of the Opposition is making a suggestion as to what I will or won't do. I think I've been very clear that if I receive any funds with respect to the party, they will be disclosed, and it hasn't happened.

The Speaker: The hon. leader.

Dr. Sherman: Thank you, Mr. Speaker. Given that Alberta's Premier is already the highest paid in the land and given that many Albertans on AISH and many seniors on fixed incomes are struggling just to put food on their table this Christmas, can the Premier please tell Albertans on AISH why they still have to wait for those \$400 benefits that she promised them when she's getting so rich on her own plan? It's sort of like the Grinch who stole Christmas.

Ms Redford: Mr. Speaker, this is a situation where what the hon. leader is trying to connect are a number of issues that are going to raise fear and uncertainty in people's minds. This is a province that cares about vulnerable people. When I ran to be leader of this party and to become Premier of this province, I was committed to ensuring that we are able to deal with those AISH issues. We are going to deal with those, and these unconnected situations aren't fair for public policy discussions.

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

Mr. MacDonald: Thank you, Mr. Speaker. Again to the Premier: how much has been paid out in income to top up the Premier's salary in the last four years by the Progressive Conservative Party through the leader's benefit plan trust scheme?

Speaker's Ruling

Questions about Political Party Activity

The Speaker: Before we have another point of order on this matter, you know that that's an internal party – I ruled this type of question out several days ago. I gave citations from the statutes that we follow, from the rules that we follow.

Go on to your second question, please.

PC Party Benefit Plan Trust

(continued)

Mr. MacDonald: Thank you very much. I will try that, Mr. Speaker.

Again to the Premier: why does the Premier feel it is none – absolutely none – of the taxpayers' business to know how big the subsidy is that they provide through tax credits, through the Election Finances and Contributions Disclosure Act, to the leader's benefit plan trust scheme?

Ms Redford: Mr. Speaker, this is a situation that I have no information about.

Mr. MacDonald: Mr. Speaker, that surprises me.

Now, again to the Premier: why release publicly \$1.1 million worth of expenditures in another Progressive Conservative trust that is not listed in their financial statements – we can force this information from this government and from the party – yet you still refuse to release all the details on the leader's benefit plan trust scheme now?

The Speaker: The hon. the Premier?

Impaired Driving Legislation

Mr. Anderson: Mr. Speaker, everyone in this Legislature wants to see an end to the loss of life caused by drunk driving, but Bill 26, the Premier's new impaired driving law, does not do that. It diverts already limited police enforcement resources at law-abiding Albertans below the .08 legal limit while ignoring those over the limit, who are 15 times more likely to cause a fatal accident. Furthermore, the Premier has no elected mandate from the people of Alberta to pass this law. To the Premier: will you do the democratic thing and put Bill 26 on ice for now and wait until after the next election before pursuing it further so Albertans can have their say on the matter?

Mr. Denis: Mr. Speaker, I want to say again to this Assembly that this member's comments are simply insulting to the police in this province. The police in this province are enforcing the existing laws, with 42,000 24-hour suspensions over the last five years. This member knows the answer, and he can stop the grandstanding.

Mr. Anderson: God forbid. That isn't . . .

The Speaker: Okay. Let's get on with the question.

Mr. Anderson: To the Premier: given that Bill 26, like the former federal Liberal gun registry, will not save lives but will, rather, penalize law-abiding Albertans and given that this new Premier has no elected mandate from the people of Alberta and given that she is unwilling to take a breath on ramming this bill down the throats of Albertans before the next election without any citizen input, will she at least commit to this House that she will allow her caucus members a completely free vote on this issue given that dozens of them do not support this bill and neither do Albertans?

Ms Redford: Mr. Speaker, the hon. member has raised a number of assumptions which I actually don't agree with. I do believe that this legislation is going to save lives. I do believe that it's going to allow police to enforce the law. In fact, through provincial legislation it is possible right now for people who blow over .05 or who are affected by alcohol and not able to operate equipment or vehicles to actually be penalized. So this assumption that people are, quote, law abiding at the moment is a false assumption. It's not the purpose of this legislation. What this legislation will do is make roads safer for Alberta families.

Mr. Anderson: More checkpoints will save lives, Premier, not Bill 26.

Given that you promised more respect for the democratic process during your leadership campaign and given that you have allowed this Assembly only six days thus far to debate seven contentious pieces of legislation, mostly while Albertans were sleeping, will this Premier instruct her House leader to allow the opposition to finish debating all of their prepared amendments, or will you chicken out and cut off debate with closure on this and other bills so you can take an early Christmas vacation?

The Speaker: "Chicken out" is not exactly appropriate parliamentary language. As a matter of fact, it's more schoolyard language.

Hon. Premier, do you want to comment?

Ms Redford: Mr. Speaker, we have a legislative session going on with respect to legislation that matters to Albertans. We as a government are committed to passing this legislation because it's legislation that reflects the values of Albertans, and we'll continue to do that in this session.

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

Electricity Prices

Mr. Mason: Thank you very much, Mr. Speaker. Alberta is Canada's only deregulated electricity market, and prices have been climbing steadily. Power prices are unstable but moving steadily upwards. They jumped from \$32 per megawatt hour in May to \$126 per megawatt hour in August and are now close to double what they were a year ago. My question is to the Premier. Will the Premier please tell Albertans what measures her government will implement to stabilize and reduce power prices for Alberta consumers?

Ms Redford: Mr. Speaker, the cost of electricity to consumers, whether they be residential consumers or industrial consumers, is key to our competitiveness. As a government we believe that critical to that is a deregulated system, and we'll continue with that.

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. Given that last week the Energy minister defended higher power prices as the price of a free market, will the Premier tell the House whether or

not Doctor Dogmatic's statements last week represent official government policy?

The Speaker: This Assembly is unaware of who Doctor Dogmatic is.

Hon. Premier, I don't know. If you want to respond, go ahead.

Ms Redford: Mr. Speaker, the government policy is the government policy; it hasn't changed.

2:00

The Speaker: The hon. member.

Mr. Mason: Thank you very much, Mr. Speaker. That's progress.

Given that power prices under deregulation have enriched large power producers at the expense of consumers and given that this government has stood by and done nothing while Albertans have been gouged, will this Premier admit that deregulation of Alberta's power industry has failed consumers? Will she commit to ending electricity deregulation, and if not, why not?

Ms Redford: Mr. Speaker, we've gone through extensive discussions in this House over a number of years with respect to regulation of the market, and in terms of where we are as Albertans, we're proud of the fact that we have a market that's working. We understand that sometimes that creates stress both for domestic consumers and for industrial consumers, but at the end of the day the most important thing that we need to do is make sure that we have an economically free environment in order for both consumers and industrial users to be able to access electricity when they need it. It's important for competitiveness, and we'll stay on that track.

PC Party Benefit Plan Trust

(continued)

Mr. Hehr: Mr. Speaker, Albertans have seen how this government rewards its friends. In public disclosures under the Conflicts of Interest Act we see that members of the Conservative caucus, the former Premier in fact, create corporations so that they can take unlimited fundraising contributions that are not reported to the public. Those same corporations then cut a cheque to the former Premier and his wife. To the Justice minister: why does the government not regard this as a potential conflict of interest?

Mr. Olson: Mr. Speaker, I wouldn't have thought I would have to explain this to this hon. member. There's a difference between a Justice minister doing his job and an independent officer of the Legislature such as the Ethics Commissioner doing his job. The Ethics Commissioner is the one who oversees disclosures. We have 100 per cent compliance with disclosures in this Assembly, which I think everybody should be pleased with and proud of. The hon. member should just talk to the Ethics Commissioner if he has questions.

Mr. Hehr: Given that the Justice minister's job is to amend the Conflicts of Interest Act – and the minister seems to have rejected this – to stop the practices of unlimited leadership donations, why doesn't the minister learn from the example of True Blue Alberta, a corporation set up by Allan Farmer of the law firm Reynolds Mirth Richards & Farmer, which continued to pay taxable allowances to the former Premier and his wife years after the leadership race, and propose an overhaul to this act?

Mr. Olson: Mr. Speaker, I'm not going to get involved in internal, private corporate business. I'm also not responsible for party

reporting. That is the job of the Chief Electoral Officer. Also, the work of the Ethics Commissioner and the Chief Electoral Officer has been beyond reproach.

Mr. Hehr: Given that this reeks to the highest heaven and True Blue's controlling shareholder, Allan Farmer, is a partner in a law firm whose government contracts grew from \$780,000 in 2006 to \$1.3 million to \$1.8 million to \$2.4 million and to \$2.6 million in 2010 at the same time that the Premier and his wife were getting taxable allowances from True Blue, in what universe does this not sound the alarm bells of potential conflict of interest? Why doesn't he amend the act right now so that this doesn't continue?

Mr. Olson: Mr. Speaker, I have a couple of things to say about that. First of all, you only get legal work with the government of Alberta if you have one thing, and that's expertise and professional competence. There is no such thing as political competence.

The second thing I want to say is that this member and his colleagues are really proving my point. They're rattling off this information. Where did they get it? It's publicly disclosed.

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

Grow Ops

Ms Woo-Paw: Thank you, Mr. Speaker. Calgary-Mackay constituents have brought to my attention that homes that were used as grow ops in our communities have been left unfit for habitation for the past two years, which, as you can imagine, poses various safety and health concerns for my constituents. To the Minister of Municipal Affairs: what standards must be met to deem a home unfit for habitation, and why do we tolerate having properties in such a state for such a long period of time in our communities?

The Speaker: The hon. minister.

Mr. Griffiths: Thank you, Mr. Speaker. Municipal authorities can deem a house unfit for human habitation based on whether or not there's heat provided, based on sanitation, whether or not the building is structurally sound, or whether or not they're considered a health or safety risk to the occupants.

Mr. Speaker, returning the home to a fit condition is purely the responsibility of the homeowners. Municipalities can get involved if they have a bylaw that talks about unsightly premises, but really it's the responsibility of homeowners to keep their homes fit.

Ms Woo-Paw: To the same minister. The health and well-being of residents around the grow-op areas are still not protected. What is it that our government is doing to ensure . . .

The Speaker: Via the Speaker, please, hon. member.
The hon. minister.

Mr. Griffiths: Thank you, Mr. Speaker. I understand and, in fact, this entire government understands the concerns that people have for having safe communities. That's why this province is very supportive of the safe communities initiative that it has undertaken. Our department is working with Justice in the lead and with the Solicitor General, Health and Wellness, Energy, and Service Alberta on policies for building homes back to fit standards and to make sure that we continue to work towards building safer communities.

The Speaker: The hon. member.

Ms Woo-Paw: Thank you. To the Solicitor General and Minister of Public Security: what is your ministry doing to ensure that the publication of grow-op locations does not inadvertently cause personal safety issues for innocent residents such as home invasions when criminals target the publicized seized grow-op properties?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. The member raises an appropriate point about publication. Our department and our police officials do a review when, in fact, a grow op is identified.

I just want to complement the Minister of Municipal Affairs' earlier answer. I think it's very important that we also educate people that when they consume an illicit substance, they're contributing to the supply chain. It's not a victimless crime.

The Speaker: The hon. Member for Edmonton-Meadowlark, followed by the hon. Member for Red Deer-North.

Emergency Medical Service Delays

Dr. Sherman: Thank you, Mr. Speaker. The barometer of our health system is our emergency rooms. The Health Quality Council says that ERs throughout Alberta are at their breaking point. In fact, things are so bad that the length of stay numbers on the AHS website were at 22 per cent at the Royal Alex and the Grey Nuns hospital just last week. In the face of all this evidence the Minister of Health and Wellness still claims that the number of people waiting on the ER stretchers is the lowest it's been in years. Will the minister stop treating this issue as a PR problem and acknowledge that he played a major role in causing the crisis when he helped close down the Villa Caritas long-term care facility?

Mr. Horne: Mr. Speaker, well, there are a number of things to respond to in that question. First of all, I have made no such claim that ER wait times are the best they've been in years. We're in fact working very hard on the basis of some very ambitious targets to improve the flow of patients, particularly for those who are admitted to hospital and have to wait in the emergency room. The target for that is an eight-hour target. With respect to the system overall, we are moving aggressively on continuing care, the expansion of home care, and other measures to improve patient flow.

The Speaker: The hon. member.

Dr. Sherman: Thank you, Mr. Speaker. An eight-hour target that after billions of dollars spent on the system we're meeting only 22 per cent of the time.

Given that the decision to close beds at Alberta Hospital Edmonton and to deport complex mental health patients to a long-term care facility like Villa Caritas caused the ER crisis and delays in care and a few potential catastrophes, why has the Minister of Justice not called a public fatality review into the death at Villa Caritas and that of Shayne Hay, people who lost hope after waiting for care?

Mr. Olson: Mr. Speaker, there is a clear procedure for fatality inquiries. The chief medical officer makes a recommendation to the fatality inquiries board. They make a recommendation to me. I've received no such recommendation.

The Speaker: The hon. member.

Dr. Sherman: Thank you, Mr. Speaker. The chief medical officer works in the Ministry of Health and Wellness. Will the Minister of Health and Wellness ask the chief medical officer to make a recommendation to the Justice minister to do a public fatality inquiry into the deaths that happened to Shayne Hay and the patient in the Villa Caritas, patients who were already in care? Untimely and unnatural deaths.

Mr. Horne: Mr. Speaker, I have no way to verify the information that the hon. member is presenting with respect to those two fatalities.* What I can tell the hon. member and what I'm sure he knows is that Villa Caritas is, in fact, part of the continuing care system in the Edmonton zone. It provides continuing care for hard-to-serve patients with advanced mental illness such as Alzheimer's disease and other forms of dementia and plays a major role in stabilizing those patients so that they can return to an appropriate community placement.

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

2:10 Support for Home Care

Mrs. Jablonski: Thank you, Mr. Speaker. Alberta has over 410,000 citizens who are 65 years of age and older. In less than 20 years the number of seniors in Alberta will double. Population projections estimate that by 2031 1 in 5 Albertans will be a senior. It's essential that we have planning in place now that recognizes the needs of seniors. Continuing care spaces are a very important part of this planning and so is home care. My question is to the Minister of Health and Wellness. What are the plans to provide adequate home care for the increasing number of seniors who will require supports to remain in their own homes?

The Speaker: The hon. minister.

Mr. Horne: Thank you, Mr. Speaker. Well, there are, in fact, many plans under way to expand the availability of home care. Currently in Alberta we spend approximately \$400 million per year to provide home care to about 107,000 Albertans. I'm really glad the hon. member raises this question because we do need to be looking at what more we can do to serve people already in the community but also to assist those who through a fall or another mishap have ended up in hospital and are capable of returning home with the appropriate support.

The Speaker: The hon. member, please.

Mrs. Jablonski: Thank you. To the minister of advanced education from one of my constituents in Red Deer-North, who states that she's very grateful for home care supports that her husband receives. However, they want to know what certification home care support workers in Alberta are required to have and what training programs are available.

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

Mr. Weadick: Well, thank you, Mr. Speaker. It's true. Health care aides do provide a very vital role in providing health care within our system. Our partners at Alberta Health and Wellness create curriculum around the programming for Alberta health care aides, and then that's provided through our institutions under licensing from Alberta Health and Wellness. To make it even easier, Alberta Health and Wellness also offers grants to people that would like to take this programming to make sure that we

have enough health care aides available for the programs that we have available.

Mrs. Jablonski: To the Minister of Seniors. Given that the government of Alberta supports wellness and independence and understands the benefits of seniors staying in their own homes for as long as possible, are there any programs that provide medical equipment and supplies needed to assist in the care of seniors who require supports, and are they affordable?

The Speaker: The hon. minister.

Mr. VanderBurg: Well, thank you for that question. Of course we care about seniors. I work hard and this government works hard to make sure that there are programs available for seniors to remain in their own homes. There's a program called aids to daily living. We invest \$124 million into this program. It serves about 85,000 Albertans, of which 67 per cent are seniors.

Thank you, Mr. Speaker.

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

Pathology Testing Services

Dr. Swann: Thank you, Mr. Speaker. Laboratory pathologists in Alberta are overloaded and afraid to speak. Calgary Lab Services have two pending investigations from the Health Quality Council, the Rockyview general hospital and the Baker cancer centre, both about poor-quality diagnoses. This means preventable suffering and death for some Albertans and wasted public dollars. Pathologists have been raising concerns for years, but unfortunately the management of AHS has ignored and intimidated them. Small wonder pathologists are in short supply, overworked, and bound to make mistakes.

The Speaker: The hon. minister, please.

Mr. Horne: Mr. Speaker, well, I thank the hon. member for the question. Just to clarify, the review that is under way in Calgary is with respect to the processing of laboratory specimens at Calgary Lab Services.

With respect to the question around the culture of the system in which the pathologists perform, the hon. member has raised an important issue. Pathologists, like all physicians, need to feel the proper level of support both materially and within the workplace generally. I have every confidence that the Health Quality Council will look into this dimension as part of the review.

The Speaker: The hon. member.

Dr. Swann: Thanks, Mr. Speaker. Well, given that Calgary Lab Services has recorded a \$16 million deficit this year, what is the nature of the contractual relationship between Alberta Health Services and Calgary Lab Services?

Mr. Horne: Mr. Speaker, Calgary Lab Services is a wholly owned subsidiary of Alberta Health Services.

The Speaker: The hon. member, please.

Dr. Swann: Thank you. It's my understanding that three members of the Alberta Health Services executive are also on the board of Calgary Lab Services and, therefore, make decisions regarding budgets and contracts. Is this not a conflict of interest?

Mr. Horne: Well, Mr. Speaker, I'm not in a position to stand here

*See page 1661, right column, paragraph 5

and say what is or is not a conflict of interest. What I am in a position to say is that the terms of reference for the section 14 review that the member refers to are sufficiently broad. That issue, if it is an issue, would be addressed as well.

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

Assured Income for the Severely Handicapped

Mr. Amery: Thank you, Mr. Speaker. Currently AISH recipients receive \$1,188 per month. This amount of money hardly makes ends meet when it's spent on rent, food, utilities, clothing, transportation, and other necessities. The Premier made a commitment during the leadership campaign to increase that allowance by \$400 a month. Could the minister responsible for AISH update my constituents and all AISH recipients on the proposed increase?

Mr. VanderBurg: Thank you for that question. Mr. Speaker, this government is committed to making sure that our most vulnerable are protected and that we have good programs in place. We have 43,500 people on the AISH program today. My commitment is, sir, to make it a better program.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. To the same minister: can the minister advise my constituents and all AISH recipients on the amount of that increase, when it will be implemented, and if it will be retroactive so that they can budget accordingly?

Mr. VanderBurg: Thank you again for that question. Mr. Speaker, we heard the Premier earlier in question period, and I heard her very clearly. I do expect that in the next budget year there will be an increase. Sir, it cannot be retroactive to this year. There's just no money in my budget for it.

The Speaker: The hon. member.

Mr. Amery: Thank you, Mr. Speaker. My next question to the Minister of Finance: can the minister update us on the budget process so AISH recipients would know when to expect that increase?

Mr. Liepert: Well, Mr. Speaker, I'm happy to do that. First of all, I'd like to say that there has probably not been a budget delivered in this House in history that has had as much public consultation as what has gone into this particular budget. The President of the Treasury Board and I held a series of round-tables. In fact, I apologize. I was late for the House today because there were a number of meetings in Calgary this morning on budget input. It will be all of that budget input – I think we've got some 5,500 online responses, now – that will determine the budget that will be delivered in all likelihood in this House in mid-February.

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

Hydraulic Fracturing for Gas in Shale

Ms Notley: Thank you, Mr. Speaker. Leaked government documents show the PCs are working directly with the Canadian Association of Petroleum Producers to sell Albertans on fracking even as other jurisdictions are more responsibly taking the time to study its safety. Without these documents Albertans would not

know that government officials and oil and gas lobbyists are colluding to manipulate public opinion. My question is to the Premier. Will she today commit that all further discussions with oil industry representatives about fracking will occur in public and will also include landowners and environmentalists with expertise in the protection of our water supply?

Mr. Horner: Well, Mr. Speaker, I'm not at my fingertips privy to the advisory meetings and schedule that the Minister of Energy will be undertaking in the course of the next months, weeks, and over the course of the next year or so but certainly would take the question under advisement and have the minister respond at the appropriate time.

Ms Notley: Well, given that even the province of B.C.'s Oil and Gas Commission concluded that fracking operations in proximity to one another and to other wells can and do result in unforeseen contamination and given that Alberta has at least half a million oil and gas wells that stand to contribute to this risk, why won't the Premier stop shilling for oil and start seriously assessing the threats to our water supply through a public, transparent, science-based review?

The Speaker: The hon. Deputy Premier.

Mr. Horner: Thank you, Mr. Speaker. I'd have to say that I and, I believe, the minister would probably take exception to some of the statements that were in that preamble to her second question. But, again, I will take that under advisement to the appropriate minister and receive the response.

Ms Notley: Well, Mr. Speaker, given that the Ethics Commissioner's illogical decision included a finding that the government had approached CAPP based in part on an interview with Alberta environment staff and given that documents released last week clearly show that this information is false, can the Premier explain why the government officials are not providing full or truthful information to the lobbyist registrar?

Mr. Horner: Mr. Speaker, the question was somewhat borderline inflammatory. I don't believe that the Ethics Commissioner is illogical at all. I believe that the Ethics Commissioner is a valued and respected member of the committee of this Legislature, and I believe he's doing a fine job.

Speaker's Ruling Referring to an Officer of the Legislature

The Speaker: That is a rather disturbing comment to be made about an officer of the Legislative Assembly. There has to be a process for dealing with these matters. We can't have it both ways. We can't have independent officers created that report to the Legislative Assembly and then have members attack their work without due course of attention. Quite frankly, hon. member, did you say: illogical conclusion? You did say that. I'm going to give you some opportunity to think about withdrawing that. I'll recognize you at the end of question period.

The hon. Member for Edmonton-Riverview, followed by the hon. Member for St. Albert.

2:20 Misuse of Electronic Health Records

Dr. Taft: Mr. Speaker, last week's report by the Privacy Commissioner into violations of privacy of personal electronic health records is deeply troubling to anyone who has read it. It's

clear there is a significant risk of widespread abuses and intrusions into people's personal medical information. To the minister of health: hospital staff obtained lab results and diagnostic imaging reports unlawfully by using co-workers' accounts to log on to patient health records. How widespread are such violations?

Mr. Horne: Mr. Speaker, I have no information that has been presented to me to suggest that this is a widespread problem. That said, I will express my wholehearted agreement with the hon. member that the incident that was reported on by the Privacy Commissioner is a disturbing one.

I take some heart in the fact that this issue was detected quickly, that our audit and assurance procedures are such that we can identify when someone inappropriately uses health information. I'm sure the investigation that's under way now will come forward with additional recommendations to help secure that information from similar misuse.

Dr. Taft: Mr. Speaker, the reason to be concerned that it's widespread is that the report states, "It is common practice, at least at this . . . emergency department, for staff to simply use whoever's Netcare account is currently logged in and available," and that in this one case 12 different accounts were used. Has this minister launched action to safeguard the most personal of personal information?

Mr. Horne: Mr. Speaker, the report also stated the fact that the emergency department was so busy meant that the security for access to the computer had not always had an opportunity to kick in prior to someone else walking by and perhaps having an opportunity to use that same computer. I believe the recommendation suggested ways in which this could be addressed, and I know Alberta Health Services is focused on doing that right now.

Dr. Taft: Mr. Speaker, given that emergency departments across this province are at least as busy as this one, we need to suspect that this practice is widespread. Given that 21 breaches were investigated at just this one emergency department, how does this minister know, if he's not going to look, that this case is not just the tip of an iceberg of privacy violations at emergency and other departments all around the province?

Mr. Horne: Well, Mr. Speaker, speaking of logic, the premise of the hon. member's question would have us believe that the desire to inappropriately access health information on the part of health care workers is widespread. I don't believe that's true. I believe the appropriate recommendations have been made by the Information and Privacy Commissioner. I will look for assurance from Alberta Health Services that they are taking corrective measures.

Thank you.

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

Reporting of Gaming Revenue

Mr. Allred: Thank you very much, Mr. Speaker. I'd like to direct my questions this afternoon to the Minister of Finance. The electronic gaming machines that we have in our casinos, bars, and racetracks have been called the crack cocaine of gambling because of their tendency to incent players to continue to play in anticipation of winning a big jackpot. What programs does the Alberta Gaming and Liquor Commission have in place to advise players of the true cost of gambling?

Mr. Liepert: Well, Mr. Speaker, first of all, let me say that the words that were used in the preamble are not mine. They are either the member's or someone else's. We have a number of programs relative to what the Alberta Gaming and Liquor Commission and other departments of government offer. The problem is around how the question was phrased around the true cost of gambling. The large majority of those who play our machines are very responsible. It's entertainment. There are, however, those who have serious problems, and there are a number of programs in place that I don't have the time in this 45 seconds to outline.

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker, and thank you for that response. Given that the AGLC claims that the player return is 92 per cent but the accounting system includes prizes earned in the revenue and expenditure figures as opposed to the actual cash put in the machines by players and the actual cash taken out and given that the AGLC supports a policy of openness and transparency, does the minister support this form of deceptive accounting that actually produces a player return of only 69 per cent?

Mr. Liepert: Well, Mr. Speaker, there were a couple of words in there that are troublesome. Deceptive accounting is not something that we practise either at the AGLC or within the government of Alberta.

Let me explain why the numbers differ. It is correct that on average 92 per cent of dollars that are played are returned to the player. However, if that player turns around and reinvests that 92 cents on the dollar, obviously, when that payout comes at 92 per cent of the 92 cents, it's no longer going to be 92 cents.

The Speaker: The hon. member.

Mr. Allred: Thank you, Mr. Speaker. I'm not sure I understood that. Nevertheless, given that the AGLC claims to have made a profit of \$1.4 billion last year from gaming operations and given that most of this profit is at the expense of so-called problem gamblers, is the actual profit from electronic gaming machines worth the considerable cost to society for financial problems, bankruptcies, health care, suicides, and family disruption?

The Speaker: It's an opinion if you wish to give it.

Mr. Liepert: Mr. Speaker, clearly, it's an opinion, but let me try and answer it this way. First of all, we have a number of situations in the province where addictions are an issue, whether it's in alcoholism or in smoking. I guess there are a whole other number of things that I won't go into. There are programs to address these particular issues, and one of the things the government is not going to implement is prohibition.

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

Pathology Testing Services (continued)

Mrs. Forsyth: Thank you, Mr. Speaker. Over the past year this government has presided over a health care system that Albertans and health workers continue to lose faith in. When doctors are being bullied and intimidated for advocating on behalf of their patients, they have a health minister that blows off these concerns as a mere workplace disagreement filled with rumours and innuendo. Now a new crisis with cancer testing is emerging under this health minister's watch. Given Alberta Health Services has

been warned about the rapid changes affecting pathology practices in Alberta since this summer, what has the health minister done to fix the problem?

Mr. Horne: Well, Mr. Speaker, there are a number of things there. I guess, first of all, I would be the first to say that I do not believe we have a crisis in pathology testing in this province, and I hope that all Albertans would take note of that. Alarming the public is the last thing, I believe, that we should be doing. With respect to what's being done about the concerns that have been raised both in Calgary and in Edmonton at the Royal Alexandra hospital, Alberta Health Services has asked for a review, a quality assurance review, by the Health Quality Council, which is currently under way. I have every confidence it will give us the information we need.

The Speaker: The hon. member.

Mrs. Forsyth: Thank you, Mr. Speaker. Given that under this health minister the Health Quality Council has now announced two reviews of the handling of cancer testing, at the Rockyview and now the Royal Alex, will the health minister admit that there's a problem with pathology testing in this province and that the lives of cancer patients could be at risk?

Mr. Horne: Mr. Speaker, the two situations are entirely different, as I think the hon. member knows. The questions surrounding the procedures at Calgary Lab Services have to do with the processing of anatomical pathology specimens in the laboratory. The review that's under way at the Royal Alexandra hospital has to do with the possible misreads of a number of samples by one pathologist in a fixed period of time, and that pathologist is no longer practising with Alberta Health Services.

Mrs. Forsyth: Given that this government ignored the warnings about closing the Tom Baker cancer lab for the last two years, will the health minister continue to ignore the concerns of health professionals in this province, or will he finally admit that there's only one way to stop crisis after crisis in our health care system and call a judge-led inquiry?

Mr. Horne: Mr. Speaker, once again, I don't want Albertans to get the impression as a result of this exchange that this government believes that there is any crisis in pathology testing in Alberta. What I would say is that for this hon. member and for any other member of this House that is in possession of information that they think is relevant to this review, I would urge that member to contact the Health Quality Council without delay and support the process under way.

2:30

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

Mr. Elniski: Thank you very much, Mr. Speaker. In keeping with the theme, less than one week after the Movember prostate cancer fundraising event ended, I was shocked and surprised to hear about the misdiagnosis of many men who had prostate biopsies read at the Royal Alexandra hospital. It's hard to imagine in this day and age and with the technology and expertise that we have that something like this could happen. My question is to the Minister of Health and Wellness. How were so many men misdiagnosed?

Mr. Horne: Well, Mr. Speaker, we don't know the answer to that question. As the hon. member mentioned, this circumstance is

with respect to the practice of a single pathologist over the period from July to October of 2011. There are 159 prostate biopsies that are under review at the moment. My understanding is that all but about a half-dozen of those patients have already been contacted by Alberta Health Services.

The Speaker: The hon. member, please.

Mr. Elniski: Thank you, Mr. Speaker. To the same minister. We've heard that because of the centralization of lab services we may have lost the expertise that was available in some of our specialized labs. Are these errors a result of the consolidation of services?

Mr. Horne: Well, it will be up to the Health Quality Council in the course of this review to determine to what extent, if any, the centralization of lab services played a role. I haven't had any information presented to me to suggest that at this point. It's incorrect, Mr. Speaker, to say that the Tom Baker testing centre was closed. It is being relocated to Calgary Lab Services.

Mr. Elniski: Finally, to the same minister, Mr. Speaker. This has created a great deal of concern and in some cases grief for many of the men who had recent biopsies, who may or may not be awaiting calls to tell them that, in fact, they have cancer. What are you doing to ensure that it never happens again?

Mr. Horne: Well, Mr. Speaker, it does create a great deal of concern, and our sympathy and our thoughts are with the 159 people that are going to be receiving these phone calls. That said, I think Albertans should take some confidence in that our system is strong enough to allow such errors to be detected on a timely basis and for the appropriate review to be undertaken. I'm sure we'll have the answers shortly.

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

Highway Maintenance

Mr. Kang: Thank you, Mr. Speaker. Albertans count on being able to travel our highways to get to work, visit family, go shopping, and get to medical appointments, yet too often in winter we see our provincial highways behaving more like skating rinks than modern roads. To the Minister of Transportation: does the minister honestly believe that what we saw on the highways this weekend is the best we can do with our current resources?

The Speaker: The hon. minister. An opinion.

Mr. Danyluk: Well, thank you very much, Mr. Speaker. There's a little bit of irony because last week the hon. member asked me a question on how come we were wanting to have more sand and more salt in reserve for our highways, and today he is worried about the ice. Let me make it very clear that the safety of our highways is number one. It is critical to ensure that individuals that are travelling on those highways are confident in our highways, and we're trying to do the best that we can.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. Where was the salt and sand when people were slipping and sliding all over the place on the highways?

To the minister again: given that almost all highway maintenance in Alberta is contracted out, can the minister give the House

assurance that contractors don't have incentive to keep plows and sanders off the road until the last possible moment to increase their profits?

Mr. Danyluk: Well, first of all, we do have a highway maintenance network, that's divided throughout the province into different maintenance crews. Mr. Speaker, I want to say to you that they are on duty 24 hours a day if necessary, if the situation arises. We do everything that we possibly can to ensure that the highways are sanded, that the roads are bladed, and that the safety of Albertans is our paramount concern.

The Speaker: The hon. member.

Mr. Kang: Thank you, Mr. Speaker. I travelled on the highway on Saturday, and I only saw one sand truck on the highway coming to Red Deer and one going back.

To the minister again: given that Albertans continue to be disappointed in the response to the snow on the highways, can you really say, sir, that your department is meeting Albertans' expectations?

Mr. Danyluk: Well, Mr. Speaker, I'm not exactly sure what distance the hon. member travelled to see the one sand truck, but I will tell you that if there is ice on our roads and if there is a safety concern on our roads, we will be there, and we will be sanding, and we will be clearing the roads.

The Speaker: The hon. Member for West Yellowhead.

Gas Line on Highway 40 Bridge Construction

Mr. Campbell: Thank you, Mr. Speaker. This government invests in critical highway infrastructure, including construction upgrades to bridge structures across the province. It would make sense for the province to make the most of these investments and allow utilities such as natural gas to cross rivers at the same time. My question to the Minister of Transportation: why is the province discouraging gas crossing on provincial bridges, at considerable cost to gas co-ops?

Mr. Danyluk: Well, Mr. Speaker, first of all, we work with municipalities and utility companies to include utilities on our bridges. I want to say to you that if we were in a utopic world, or the perfect world, we wouldn't like to see gas lines on our bridges because it does provide some hazard if they are on the bridges.

First of all, our primary concern is to ensure that we have the ultimate safety that we possibly can, but we do make exceptions, Mr. Speaker.

The Speaker: The hon. member, please.

Mr. Campbell: Thank you, Mr. Speaker. My first and final supplemental to the same minister. The current bridge across the Athabasca on highway 40 has a gas line secured to it and has caused no problems for the last three decades. The minister is considering a new bridge over the Athabasca north of Hinton, and I'm asking whether the new or refurbished bridge will have a gas line attached to it.

Mr. Danyluk: Well, Mr. Speaker, in fact, we are working with the Yellowhead Gas Co-op, and we are looking and they are looking at an alternative. I want to assure you that if there are no alternatives, we will work with Yellowhead Gas, as we do throughout the province, try to alleviate the concerns, try to make sure that, you know, gas is provided where necessary, and try to

make it as safe as possible. We are working with those companies, and we'll try to make it possible.

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

PDD Appeal Panel

Mr. Chase: Thank you, Mr. Speaker. Last week we heard that a decision of the Persons with Developmental Disabilities Appeal Panel was quashed by Alberta's Court of Queen's Bench in part because the panel relied on evidence of an insider, an "expert witness," who is also a PDD program employee. To the Minister of Seniors. Supposedly, panel members are recruited through "an open, competency-based process." How does the minister explain such apparent lack of competence on the part of those charged with making decisions impacting the crucial supports and services vulnerable Albertans receive?

Mr. VanderBurg: Mr. Speaker, I take very seriously the work that I do and that the department undertakes on behalf of vulnerable Albertans. I take exception that anybody would question the mainly volunteer base of our appeal panels. We recruit experts from all across the province to ensure that we have the right people with the right training to make the right decisions.

The Speaker: The hon. member.

Mr. Chase: Thank you, Mr. Speaker. When children move to age 18, they run into a wall in PDD. It's a regular occurrence. What requirements are currently in place to ensure that panel members possess the considerable expertise necessary to determine eligibility for PDD supports and services?

Mr. VanderBurg: Mr. Speaker, once again, I do recognize that there is an issue, you know, when you're a youth under 18 versus someone who's over 18 served in our department. It's our intent and that of the members of the appeal panel to make sure they know the case that they're dealing with in front of them. Our staff prepare and do lots of homework before they hear these appeals, sir.

The Speaker: The hon. member.

Mr. Chase: Thank you. Will the minister save other families \$70,000 in legal fees and undertake today to tighten the recruitment process for panel members to ensure that the most qualified people are in place?

The Speaker: The hon. minister.

Mr. VanderBurg: Thank you, Mr. Speaker. Once again, I have to tell the member opposite that we do everything possible to recruit the right people to do the right job with the right training. These people are very valued members of our department and serve the needs of Albertans in an honourable way.

Thank you, sir.

The Speaker: Hon. members, that concludes the question-and-response period for today. Nineteen members were recognized; 111 questions and the responses were provided. In 30 seconds from now we will continue the Routine.

2:40

Members' Statements

(continued)

The Speaker: The hon. Member for West Yellowhead.

Jasper National Park Dark Sky Preserve

Mr. Campbell: Thank you, Mr. Speaker. Alberta is one of the most beautiful, scenic, pristine places to live in the world. Everywhere we look, there is picturesque scenery, but one natural surrounding that we often forget to appreciate is the biggest one of all, the sky, and oftentimes this is because the bright city lights make it difficult to see anything above the street lights. However, this is not the case everywhere in Alberta. In fact, I'm proud to say that Jasper national park has just been named the world's largest dark sky preserve.

This is an international honour that brings great pride not only to astronomy enthusiasts but to Albertans in general. At 11,228 square kilometres, Jasper national park provides the perfect venue for sky gazing. Because it's such a natural landscape rather free of artificial light pollution, people visit the park for unimpeded views of the stars and planets. In fact, the first Jasper Dark Sky Festival recently brought in people from all over the world, and I encourage everyone to get out to next year's event from October 12 to October 14.

Mr. Speaker, the importance of darkness also goes beyond stargazing. We need natural darkness to reduce stress and promote a healthy lifestyle. However, it is estimated that 85 per cent of the world's population lives in urban areas without access to darkness. So when I hear things like Jasper national park is the world's largest dark sky preserve, it reminds me that Alberta is the best place to live and offers such an exceptional quality of life.

I hope that many of you will get out and attend the annual Jasper in January festival, held from the 13th to 29th of that month, and take part in the dark skies wolf howl or canyon crawl, two great events to get outside at night and explore the park.

Thank you, Mr. Speaker.

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

Julia Bowen

Mr. Elniski: Thank you very much, Mr. Speaker. Once in a while we come across an organization or an individual that really stands apart. In late October I attended the 2011 Women's Conference for the Alberta Regional Council of Carpenters and Allied Workers. The highlight of the conference was a speech given by Miss Julia Bowen, the grade 4 student I introduced earlier. Rather than paraphrase Julia's words, I would like to read her speech to this Assembly.

I think the women's movement is a big part of history and world changes, especially how it has changed lives.

Students in school learn a little information in social class when they are in grades 2 and 3.

Even today men are still making more than women.

If we didn't talk about it in school, the women's movement would've been forgotten, and men may have been the only ones working.

I'm helping in the conference because I enjoy presenting, and I'd like to learn more about women's history.

I'm thinking this could definitely help with my future.

It took long and hard work for the women's movement to settle in.

I am proud to be here, and I hope this'll help my presentation skills and that I might soon be able to make my own version of this conference.

Plus, this might help with essays or projects.

Anyways, it did take hard work for people like you who have a non-traditional job, and you should be proud because of all the people in the world, you achieved something someone wouldn't do every day.

I thank you because when I grow up I can be whatever I choose. Know that this will change the world forever.

You did something that'll change and help the world, and I thank you for this effort and the goals you've achieved.

Mr. Speaker, at the tender age of eight Julia speaks well beyond her years and delivers a message that makes us all proud to know that such bright and talented and committed young people are ready to take the stage. Julia and I had an opportunity earlier today to meet a role model who shows young ladies like her that they can be whatever they choose to be, our own Premier.

Thank you, Mr. Speaker.

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

International Volunteer Day

Ms Woo-Paw: Thank you, Mr. Speaker. December 5 marks International Volunteer Day, a day that is of special significance to all Albertans for in some way every Albertan has been touched by the selflessness of our volunteers. The dedication and commitment of our volunteers is seen in every community in this province as they work to enhance the quality of life for their friends, neighbours, and often those they will never even know. Many of those served by the efforts of volunteers are among the most vulnerable of our citizens.

Mr. Speaker, volunteers are, quite frankly, the backbone of communities across this province. These individuals and the organizations they help support provide many of the programs and services that simply would not be available to our citizens without these everyday heroes.

We must also remember the many Albertans who have stepped up, leaving their friends and family and all that they know to travel to trouble spots around the globe to lend their talents to those in need. In doing so, they enhance the reputation of our province and our nation.

Mr. Speaker, our volunteers are driven not by the desire for recognition or praise but by a sense of duty and a sense of compassion. Earlier today the hon. Minister of Culture and Community Services presented the 2011 stars of Alberta award to six outstanding Alberta volunteers. Stars of Alberta is one of the ways the Alberta government is recognizing and paying tribute not just to those who have been selected for an award but to those who day in and day out are making the lives of all Albertans just that much better.

Mr. Speaker, I would like to ask all members and all Albertans to take the time today and every day to remember and to thank our volunteers, exemplary Albertans one and all. Thank you.

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

World Sledge Hockey Challenge

Mr. Rodney: Thank you, Mr. Speaker. This weekend at the new Athletic and Ice Complex at Canada Olympic Park in Calgary our national sledge hockey team once again proved why our country is so well respected on the ice. On Saturday night Canada beat the 2010 Paralympic champions from the United States by a resounding score of 4 to 1 to claim the 2011 World Sledge Hockey Challenge title.

This world-class event saw teams from all over the planet come together here in Alberta to decide who was the best. Canada played incredibly well. They did not lose a single game all week. The group showcased their amazing ability to work together, and their huge win clearly demonstrated their fine teamwork.

Sledge hockey is an exciting sport which is gaining momentum

in Canada. It offers a wonderful opportunity to recognize the abilities and talents of people with so-called disabilities. I think our MLA hockey team would be in tough if we ever had the chance to face off against the Canadian team.

The sport was actually developed back in the early 1960s in Sweden at a rehabilitation centre, and it is currently one of the most popular sports in the Paralympic Games for many good reasons. Sledge hockey is always on the leading edge of sport development, both in terms of equipment design and team membership. In fact, mixed teams of male and female athletes were allowed to compete together for the first time at the Vancouver Winter Olympics.

The hon. Member for Sherwood Park reminded me this morning that fostering and promoting open and inclusive communities is paramount to a healthy and balanced society. Sports like sledge hockey do exactly that. This sport is innovative, disciplined, and inclusive. It gives every person, regardless of physical status, the ability to experience our country's national pastime.

Congratulations to the Canadian sledge hockey team for taking home the 2011 title. You certainly did us proud again.

Thank you, Mr. Speaker.

Notices of Motions

The Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I rise to give oral notice of three motions. The first motion reads:

Be it resolved that when further consideration of Bill 21, Election Amendment Act, 2011, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

The second motion, Mr. Speaker, is:

Be it resolved that when further consideration of Bill 24, Health Quality Council of Alberta Act, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

The third motion, Mr. Speaker, is:

Be it resolved that when further consideration of Bill 26, Traffic Safety Amendment Act, 2011, is resumed, not more than one hour shall be allotted to any further consideration of the bill in Committee of the Whole, at which time every question necessary for the disposal of the bill at this stage shall be put forthwith.

Thank you.

Tabling Returns and Reports

The Speaker: The hon. Member for Olds-Didsbury-Three Hills.

Mr. Marz: Thank you, Mr. Speaker. I would like to table an appropriate number of copies of a 25-page report entitled CCMTA Road Safety Report Series: Alcohol-Crash Problem in Canada, 2008, prepared for the Canadian Council of Motor Transport Administrators' Standing Committee on Road Safety Research and Policies and Transport Canada by the Traffic Injury Research Foundation of Canada and dated December 2010.

2:50

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

Mr. Horne: Thank you, Mr. Speaker. I wish to table the requisite

number of copies of a document entitled Protocol on the Appointment of Judges to Commissions of Inquiry, which has been developed by the Canadian Judicial Council. This document was developed for the purpose of providing information and guidance to governments and others on the process for appointing judges to lead public inquiries. This will be useful background information in connection with government-proposed amendments to Bill 24.

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

Mrs. Sarich: Thank you, Mr. Speaker. I'd like to table the requisite number of copies of documentation I received from the Edmonton Catholic school board regarding the establishment of their district's Holodomor (Ukrainian Famine Genocide) Memorial Day, to be commemorated on the last Friday in November in perpetuity.

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

Ms Pastoor: Thank you, Mr. Speaker. I have five tablings, each with the requisite five copies, of letters and donations that I have sent to food banks to keep the issue of indexing AISH payments in the public as I have done for the last five years. Certainly, I'm pleased to say that the Premier has moved the payment increase issue forward in a very positive way, but as long as the process for future payments . . .

The Speaker: This is tablings now, not speech-making.

The hon. Member for Edmonton-Strathcona.

Ms Notley: Thank you, Mr. Speaker. I have two tablings. The first is the appropriate number of copies of an opinion piece questioning the costs that will be downloaded on provincial and municipal governments by Bill C-10.

The second one is the appropriate number of copies of a report released today by the Parkland Institute entitled Alternative Water Futures in Alberta. The author, Trudeau scholar Jeremy Schmidt, notes that . . .

The Speaker: Okay. The same qualification as that for the last member. It's tablings, not speech-making.

The hon. Member for Calgary-Varsity.

Mr. Chase: Thank you very much, Mr. Speaker. I am tabling the Amnesty International report entitled Canada, 20 Years' Denial of Recommendations Made by the United Nations Human Rights Committee and the Continuing Impact on the Lubicon Cree, which I referenced last week.

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

Dr. Taft: Thank you. I rise to table copies of letters from a constituent concerning Bill 26, and this is to follow up comments I made in the Assembly last Thursday.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. I won't make a speech. I'm tabling two documents. The first one is information I received regarding motions for return 6 and 7 as amended on April 11, 2011. I appreciate this information from the Minister of Energy.

My second tabling is with respect to Motion for a Return 8 as amended on April 11, 2011, and it's from the Minister of Energy as well.

Thank you.

Tablings to the Clerk

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of the hon. Dr. Morton, Minister of Energy, returns to orders of the Assembly Motion for a Return 6, Motion for a Return 7, and Motion for a Return 8, asked for by Mr. MacDonald on April 11, 2011; response to Written Question 1, asked for by Ms Blakeman on March 21, 2011; and response to Written Question 8, asked for by Mr. Hehr on April 11, 2011.

On behalf of the hon. Mr. Olson, Minister of Justice and Attorney General, Alberta Human Rights Commission annual report 2010-11.

On behalf of the hon. Mrs. Klimchuk, Minister of Culture and Community Services, pursuant to the Alberta Foundation for the Arts Act Alberta Foundation for the Arts 2010-11 annual report; pursuant to the Historical Resources Act the historic resources fund 2010-11 annual report and the Alberta Historical Resources Foundation 2010-11 annual report; and pursuant to the Wild Rose Foundation Act the Wild Rose Foundation annual report 2010-11.

Speaker's Ruling Referring to an Officer of the Legislature

The Speaker: Hon. Member for Edmonton-Strathcona, that was serious, what happened this afternoon. Do you want to rethink it? Do you want to withdraw your words? How do you want to deal with it?

Ms Notley: Well, Mr. Speaker, I'm not sure. I would like some clarification because I was commenting on a report that was tabled in this Legislature, and I wasn't sure if your previous comment suggested that I was commenting on an individual. The question was framed to characterize a report, and the question was about that characterization as a result of action taken by . . .

The Speaker: Hon. member, please. I'm going to read the words. "Well, Mr. Speaker, given that the Ethics Commissioner's illogical decision . . ." That's, I believe, a criticism of an officer of the Legislative Assembly. There's nothing in those words that I gave you that talked about a report.

Ms Notley: Mr. Speaker, the remainder of the question went on to talk about why it was illogical as a result of information that was improperly given to the commissioner by an official of the government, and it was . . .

The Speaker: Perhaps I'll be good enough, then, hon. member, to bring you and other members of the Assembly up to date with respect to a matter such as this. This has been raised in this Legislative Assembly on previous occasions and viewed as a very, very serious breach of the rules of the Legislative Assembly of Alberta. Breaches of parliamentary references are found in *Beauchesne's* at paragraphs 493(3) and 493(4). It has been stated time and time again that great care should be given when making statements about persons outside the House who are unable to reply and, further, when they are individuals of esteem such as an officer of the Legislative Assembly.

The hon. member might also look at the *House of Commons Procedure and Practice* at pages 616 and 617.

I would like to draw hon. members' attention to an event that occurred in this Assembly on April 25, 2005. Hon. members are free to read *Hansards* of events in past Assemblies as they sit in the Assembly. The books are all here. Regarding comments made at that time about another officer of the Assembly, on April 25, 2005, a rather lengthy ruling was given. I quote from page 988:

If there is any doubt after reading those authorities, it is the chair's view that the officers of the Legislature in the province of Alberta occupy positions of "high official status," as the term is used in *Beauchesne* 493(3), similar to judges and senior public servants even though they are not specifically mentioned. To be absolutely clear, this chair will not tolerate personal attacks against officers of the Legislature.

Further, on that same day, in the response, then:

There will be a vigilance. I will not allow people who are officers of this Assembly to be chastised in this Assembly.

I'm sorry, hon. member. What you said this afternoon fits the bill. So I would just ask you to withdraw the words and declare your intent to avoid such usage in the future.

Ms Notley: Well, at your direction, Mr. Speaker, I will withdraw the words that were characterizing a decision that was rendered by the officer and tabled in the House.

The Speaker: No. You see, hon. member, you and I are going to have an interesting debate. Consider me the judge in the court and you one of the attorneys in front.

Mr. Chase: There's no jury.

The Speaker: Yes. In this case there isn't. This is a professional thing, 2 to 2, and the hon. Member for Calgary-Varsity, actually, is not part of it.

We're not going to debate because it's not about the report. It's very clear what it says, hon. member. It says, "Given that the Ethics Commissioner's illogical decision . . ." I mean, it's the Ethics Commissioner that you are talking about. You're not talking about anybody else.

I'm going to give you one more opportunity to do the honourable thing, and then I will tell you what the sanction will be if you don't do it.

Ms Notley: Well, Mr. Speaker, I withdraw my statement about the Ethics Commissioner's decision, which apparently is also a comment about the Ethics Commissioner.

The Speaker: Thank you. And in future you, as all members, will not do this. Period. This is just not fair. If we're going to have independent officers of the Legislative Assembly, then we have to accept the credibility that they provide or have a motion brought to the Assembly to censor and end any association with those individuals. We can't have it both ways. That's just fair, good parliamentary process.

Orders of the Day

Motions for Returns

[The Clerk read the following motion for a return, which had been accepted]

University of Calgary Budget

M21. Dr. Taft:

A return showing a copy of all internal documents that show the Ministry of Advanced Education and Technology's rationale for approving a deficit budget for the University of Calgary in the 2010-11 fiscal year.

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

3:00

Child Abuse Investigations

M18. Mr. Chase moved that an order of the Assembly do issue for a

return showing copies of any documentation or policies on how cases of reported child abuse of children under the care of the province are investigated, showing what organizations carry out the investigation and what oversight there is of the investigation process.

Mr. Chase: Thank you very much, Mr. Speaker. I'll look forward – well, that may not be true. I may not look forward to the reasons it was rejected, but I'll look forward to arguing my case.

The Speaker: The hon. Solicitor General.

Mr. Denis: Thank you very much, Mr. Speaker. I'm rising on behalf of the hon. Minister of Human Services to respond to Motion for a Return 18, made by the Member for Calgary-Varsity, who actually made me laugh today. The hon. minister has accepted his motion with an amendment to clarify the source of the documentation or policies referenced in this motion. As you'll see in your handout, the words "Ministry of Human Services," have been added so it now reads:

... copies of any Ministry of Human Services documentation or policies on how cases of reported child abuse of children under the care of the province are investigated, showing what organizations carry out the investigation and what oversight there is of the investigation process.

Mr. Speaker, the ministry's response will include only the documents that are related to the ministry's investigative process to avoid any confusion with documents from any other ministries such as Justice and Attorney General's fatality inquiries or other judicial process.

Mr. Speaker, this is a small tweak to the wording that provides the clarity needed about the documents and policies that are referenced in this motion. I understand the requested information will be provided to this member within the requisite time frame.

Thank you.

The Speaker: So, hon. member, there's an amendment.

Mr. Chase: I'm absolutely thrilled with it, Mr. Speaker. Please pass on my thanks to the appropriate minister for being so relevant on this particular issue.

The Speaker: Should I call the question, then?

Hon. Members: Question.

[Motion on amendment carried]

The Speaker: Okay, hon. Member for Calgary-Varsity, do you want to move your motion as amended, or shall I just call the question?

Mr. Chase: If you'd like to speed up the process, the question.

[Motion for a Return 18 as amended carried]

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

Oil and Gas Sector Incentives

M19. Mr. MacDonald moved on behalf of Mr. Hehr that an order of the Assembly do issue for a return showing a copy of all reports, studies, financial forecasts, or materials prepared for the Ministry of Energy regarding stimulus and incentives in the oil and gas sector between January 1, 2008, and February 20, 2011.

Mr. MacDonald: You betcha. I'm very pleased that it's due today.

Certainly, this has been a program that has generated a lot of interest. To get the information that has been requested by the hon. Member for Calgary-Buffalo, I think, would be, to say the least, terrific and in the interest of taxpayers throughout the province.

Now, this issue has come up in a lot of forums, in a lot of different ways, Mr. Speaker. Certainly, we heard earlier in the summer a series of questions that went through the media regarding this package and how effective it was. I listened with interest at that time, and it was suggested to me as chairperson of the Public Accounts Committee that it would be an issue we should deal with, but as the hon. Solicitor General would certainly know, the Public Accounts Committee had dealt with this, albeit in a series of questions that were proposed by the hon. Member for Calgary-McCall. He asked the hon. member at a meeting with the Department of Energy officials just how successful this program was and how many jobs it actually did create. There was a senior official from the department who admitted on the public record that he had no idea how many jobs this had created. That certainly was an issue this summer when it was discussed.

We do know that it's a fairly significant program. We know that in 2009-10 \$1.1 billion was issued in drilling stimulus initiatives. The following year, 2010-11, there was \$730 million plus, and in the forecast for 2010-11 – and I'm looking at the fiscal plan here from last spring's budget – there was an additional \$1.6 billion.

At a time when we're having record deficits, at a time when no one could publicly determine how many, if any, real jobs had been created, there was roughly \$3 billion in drilling stimulus provided to both the oil and the gas sectors. It was provided to the oil sector at a time when prices were really quite healthy and there was a lot of activity going on. The same cannot be said about natural gas. Whether this program was a good idea or a bad idea or whether we'll need a similar program in the future at some time, that's another question.

The hon. Member for Calgary-Buffalo has every right to ask for all reports, studies, and financial forecasts, and if the information is provided, I'm going to look forward, as the Finance critic, to reading it. Thank you.

The Speaker: The hon. Solicitor General.

Mr. Denis: Thank you very much, Mr. Speaker. I am rising to advise that the House rejects this motion for a return. When we look at the wording of this motion, it states, "all reports, studies, financial forecasts, or materials prepared for the Ministry of Energy." This could conceivably mean anything and everything provided by anyone for the Ministry of Energy on the topic of stimulus incentives. As we know, the rules do not allow for a fishing expedition. The scope of this wording is, in fact, too broad; it's not specific. By complying with it in this form, we could end up releasing proprietary, confidential information, so I would respectfully advise all members to reject this motion.

The Speaker: Shall I call the question? That'll close the debate.

Mr. MacDonald: Yes, Mr. Speaker. I think, with no disrespect, that this is showing contempt to the taxpayers of this province, who spent \$3 billion on this incentive program, this stimulus program, \$3 billion, at a time in the history of this province that we racked up \$11 billion in deficits.

We were talking earlier this afternoon about AISH payments and about how we perhaps could in next year's budget have an increase for recipients or clients of AISH. Maybe we could help out seniors in the next budget. Yet when we request information regarding this \$3 billion program which some would say was unnecessary and some would say that they have no idea – and these are government

officials – how many, if any, jobs were created as a result of this, the hon. member dares to say on the public record to taxpayers that the hon. Member for Calgary-Buffalo is simply on a fishing expedition. I think that's cavalier, I think it's disrespectful of the taxpayers, and it's certainly a reflection on why we have racked up \$11 billion in deficits in the last four years with an attitude like that.

This question is certainly in order. I'm very, very disappointed that the hon. member would reject it in the first place and then suggest it's just a fishing expedition when the total program cost at least \$3 billion over its life since it was initiated until the time it concluded at the start of this fiscal year. I'm disappointed in the government's rejection of this Motion for a Return 19, and I'm very, very disappointed in the attitude that has been displayed towards taxpayers in this province by this rejection.

Thank you.

[Motion for a Return 19 lost]

3:10 Electricity Grid Expansion

M20. Mr. Hehr moved that an order of the Assembly do issue for a return showing copies of all financial forecasts, economic trend reporting, and any recommendations that were prepared by the Ministry of Energy regarding electricity grid expansion for the fiscal periods 2011-2020.

Mr. Hehr: First off, I'd like to thank the Member for Edmonton-Gold Bar for handling my duties very ably while I was out using the washroom. I thank him for that.

The nature of this ask is quite simple. We are going down a path here where the government has put forward proposals and solutions to, apparently, some of our electricity needs. These entail a large expansion of our transmission system and will hopefully bring some peace and some relative stability to our electricity markets, that has been sorely missing for some time.

But at the same time, we on this side of the House feel it's necessary to get these reports because there are other people out there, other groups – utility advocates, the people who use power, our industrial users who use our power – who are concerned that this is a massive overbuild. Those are their words, not mine, Mr. Speaker.

Because there is so much conjecture, so many people who are questioning the need and the necessity of this process, in my view it would be imperative for us, the Official Opposition, to have a look at these financial forecasts and economic trend reporting and recommendations that were prepared for the Minister of Energy in order that we can look at the information that he has to base his decision on, and then we can inform these people that the Minister of Energy is perfectly correct; we do need these materials, and here is why.

Right now we are left listening to competing groups, all with varying interests. We know the Minister of Energy only has one interest at heart, and that would be the people of Alberta. We are confident that his reports would give us peace in that matter, would alleviate our concerns. It would allow us to quietly or even loudly back his decision to go forward with what some people are calling a massive expansion of our electricity grid. So we're merely looking for the same information that the minister has and that he's based his decision on so we can support him in this endeavour to bring electricity to our great province.

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

Mr. Denis: Thank you very much, Mr. Speaker. I'm rising again

today on behalf of the hon. Minister of Energy. The Alberta Electric System Operator is responsible for the information that the member is requesting. AESO does have the economic planning and operation of our provincial electricity grid. They provide the analysis, input, and long-term forecasting. If the Member for Calgary-Buffalo is interested in this information, the Minister of Energy suggests that he look at AESO's website and examine the long-term planning and analysis or even consider contacting them directly. In fact, the minister has also indicated to me that he'd be happy to provide the member with a contact name to assist them with this request.

But in response to this motion for a return the minister would urge all members to reject it. Thank you.

The Speaker: Hon. Member for Calgary-Buffalo, if I recognize you, that concludes the debate.

Mr. Hehr: Mr. Speaker, I'm highly surprised at that answer. Are we on this side of the House supposed to assume that the Minister of Energy has not been given any financial forecasts, economic trending, or any recommendations prepared by the Ministry of Energy in this regard, that it has all come from the AESO? That answer seems to me totally, to use the word, false. I would assume that the Ministry of Energy has been provided numerous reports, numerous economic trend reporting, and many recommendations in regard to this. I find that answer really surprising, to say the least.

Really, if the true answer is that the Minister of Energy has not been provided any of this information, I would fall out of my chair, and I've got side rails on. Okay? If that is the truth, you know, I think that's one thing. If the answer is that some of these reports have been provided to the hon. minister, he has the right to say, "No, we will not provide that report." I highly doubt the claim that no reports have been made. In fact, if that was the case, I'd really ask what the Ministry of Energy is doing on behalf of the Alberta people.

[Motion for a Return 20 lost]

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

National Securities Regulation

M22. Mr. MacDonald moved that an order of the Assembly do issue for a return showing a copy of all reports, studies, financial forecasts, or material prepared for the Ministry of Finance and Enterprise regarding the discussion concerning the potential creation of a national securities regulator.

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker. This has been an issue that has been debated across this country, province by province, and in Ottawa for quite some time. I am certain that information of this nature exists. I do know from looking at the Minister of Finance's website that there are references to various reports, studies, and forecasts. It's a very, very important matter. We have, of course, our own Securities Commission, located in Calgary. In fact, they have their own chapter in the Minister of Finance's annual report. It's an interesting read for members of this Assembly, as it is for the general public.

I would note – and this is in no reflection going back to Motion for a Return 20 – that we would be using an electrical market or an electric system. Well, I would be very generous in calling it a market. But we have a day-ahead market for electricity prices in this province; we have a futures market. These are all under the umbrella of the Securities Commission. I, for one, would hate to see the Securities Commission leave Calgary and move, say, to Toronto or to Ottawa as a national body. I can't imagine what that would do to

our electricity market as it's known now. For the record I don't consider it to be a market. If it's anything, it's a fixed market, but it's not an open, competitive market. So I want to make that perfectly clear.

A national securities regulatory body: you have various opinions on this. I don't see any reason why we would want to close an office in Calgary and move everything to, say, Ottawa or Toronto, which has been suggested by some. I think that as the economy in western Canada grows and expands as we develop more and more resources, there will be more and more need for an Alberta Securities Commission and a regulatory body located here. I think some of the smaller resource companies use it quite effectively for capital requirements. So there are reasons why we should have it, but I would be very interested, Mr. Speaker, in what exactly the ministry of finance and enterprise has surrounding these discussions that have been going on for years.

I certainly would appreciate the information, and if it was to be provided, I'm not saying that I'm going to read it during Christmas week, but I would commit to reading it before the 21st of December. Thank you.

3:20

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

Mr. Denis: Thank you very much, Mr. Speaker. I'm not sure what's going on in that caucus, but three of their members have made me laugh out loud today – in good humour, I must say.

The Member for Edmonton-Gold Bar is asking for copies of "reports, studies, financial forecasts, or material prepared for the Ministry of Finance," specifically those regarding "the potential creation of a national securities regulator." Much of the information being requested by the member is already publicly available, and this includes without limitation reports, studies or other evidence, and submissions filed with the Supreme Court of Canada for the federal reference. The court's record also includes filings made in the two provincial references and the decisions of these courts. The member and the general public can also access a webcast of the two-day hearing on the Supreme Court of Canada's website. Any other materials prepared for Alberta Finance are subject to either confidentiality or legal privilege restrictions.

To sum up, the member's motion asks for information that is either publicly available already or, on the other side, information that cannot be provided for reasons of legal privilege or confidentiality. I'm sure that the Member for Calgary-Buffer City can appreciate those as well, given his background. For these reasons, I recommend that this motion be rejected today.

The Speaker: Shall I call the question?

[Motion for a Return 22 lost]

Public Bills and Orders Other than Government Bills and Orders Second Reading

Bill 205

Municipal Government (Delayed Construction) Amendment Act, 2011

[Debate adjourned November 28: Mr. Taylor speaking]

The Speaker: Hon. members, the chair will recognize the hon. Member for Calgary-Currie to continue. The hon. member has seven minutes remaining in his speaking time, and there's a total

of 117 minutes of debate remaining should the members choose to go that far. The hon. Member for Calgary-Currie.

Mr. Taylor: Thank you very much, Mr. Speaker. When time expired last week, I was acknowledging that one can make the argument that the Municipal Government Act already provides municipalities with the authority to intervene when construction sites become significantly stalled, suspended, or delayed.

In the case of stalled developments posing a danger to public safety, there doesn't seem to be much argument that it does. Municipalities may issue orders requiring the owner to eliminate the danger to public safety, remove or demolish the structure, fill in the excavation or the hole, and level the site. In a stalled development dangers to public safety are pretty clear and quantifiable. Shorings, which hold back the land when a basement or an underground parkade, for instance, is excavated, will start to break down over time, allowing the land that they're holding back to cave in. That's dangerous and measurable. City engineers can monitor the condition of those shorings on a regular basis. When they begin to break down, the engineers can measure that, identify it, quantify it, and issue the appropriate order, most likely to fill in the excavation. You can't really argue that point.

When delayed developments are merely unsightly, however, no matter how much of an eyesore they are by any common-sense consensus definition, the MGA as it is currently worded seems somewhat less certain about how much authority a municipality really has to step in on behalf of the neighbouring residents and businesses in order that something be done about it.

This, Mr. Speaker, I believe, is the crux of the matter. If we at the provincial level argue that our laws give municipalities sufficient authority to address a particular issue and the municipalities argue that our laws do not, then we're at a bit of an impasse. The neighbours complain to the city. The city refuses to act, citing insufficient authority. The neighbours turn to their MLA, who in turn inquires of the appropriate people within the provincial government, only to be told that the city does have the requisite authority. And we're back to square one. Who wins? Well, I'm not certain anybody does, but I can tell you for certain who loses: the neighbours, the surrounding businesses, and the community as a whole.

[Mr. Zwobdesky in the chair]

Mr. Speaker, a brief lesson in the ongoing history of stalled developments. There is a place in Calgary-Currie on 4th Street SW in Mission known none too affectionately as the pit. The good news is that the owner of the site just last week began construction of a long, long awaited development at that location. The pit celebrated its 10th anniversary this summer. Perhaps I should have said: marked its 10th anniversary. That's more appropriate; it was hardly a celebration.

Ten years of partial completion. Ten years as a hole in the ground mostly filled with what will become the development's underground parkade. Most of the concrete for that parkade was poured before the original developer went belly up. Ten years of ugly plywood construction hoarding covered in peeling paint and various posted bills running the length of an entire block along a street that once was and, hopefully, soon will be again one of the most vibrant shopping and dining destinations in Calgary's inner city. For 10 years apartment and condo dwellers have gazed down on this eyesore from their balconies. People can't really see much of anything from street level except the hoarding crowding the sidewalk, making you feel as though it might push you out into traffic. It hardly makes for a pleasant stroll.

Along that stretch of 4th Street in recent years we've seen a lot of empty storefronts. It's the broken-window theory on a bigger

scale. When vandals break a window and the owner doesn't replace it, it sends a message that people don't really care about their neighbourhood. When a development is stalled in mid-construction for months or years, it sends a similar message, and shoppers and diners go elsewhere.

About 15 months ago I attended a meeting at city hall in Calgary with the ward alderman, community representatives, the city solicitor, and senior officials from the city engineering and planning departments to discuss the pit, and I was told what the community had already been told, that the city of Calgary did not feel that it had sufficient authority under the Municipal Government Act to move against the owner and require it to improve the appearance of the site. Were the city to try under the existing provisions of the MGA, I was told, it would end up in court in a fight that the city might very well lose and which would cost a lot of taxpayers' money in any event.

I asked the city solicitor to help me draft a private member's bill that would rectify the situation. He did so. I brought the wording to Parliamentary Counsel, who put it into the language of this Assembly. I took that back to the city solicitor and asked if our wording met his test. He said that it did, and this is the bill that you have before you today. This bill, if approved, will give local governments clear authority to deal with what is absolutely, incontrovertibly a local problem. It's a local problem that local residents should be able to ask their local government to solve and to hold their local government accountable for solving it.

The government of Alberta has no particular interest, Mr. Speaker, in somebody's hole in the ground. Yet these holes and pits and partially-built parkades and building superstructures sticking unfinished as much as three stories above ground and partially built townhouse complexes and subdivisions are local problems in local communities all over Alberta. The pit at age 10 is a mere child compared to the granddaddy of them all, a development in Lethbridge that's been stalled for 30 years.

In the course of researching this bill we've discovered stalled developments in Two Hills, Sylvan Lake, Bon Accord, elsewhere in Calgary, Edmonton, Sundre, and Medicine Hat. The town of Irricana tells us that it has no control over any undeveloped land or partially developed land within its limits. It's all owned by developers who sought to build and either ran out of money or time or the will to finish what they started.

Mr. Speaker, this bill does not seek to expropriate property or to cancel development permits or to keep developers from building. This bill understands that business conditions in Alberta can change dramatically from the time a development permit is granted to the time the development is completed. It does not force a developer to continue building when it makes no economic sense or to prevent him from resuming construction when conditions improve, but it does give the municipality the clear authority to say that you just can't delay building the unfinished project indefinitely without giving the enjoyment of the space back to the surrounding community so that you're not hampering its vitality and making it less desirable for businesses, residents, and as a destination for visitors.

This bill will give municipalities certainty and confidence to act on behalf of their citizens in the interests of strong, safe, and attractive communities, and it will give the citizens a clear path to understand who to hold accountable for this.

Thank you, Mr. Speaker. I look forward to the rest of the debate.

The Acting Speaker: Thank you, hon. member.

The hon. Solicitor General and Minister of Public Security.

Mr. Denis: Thank you very much, Mr. Speaker. I have examined this bill for quite some time. Actually, it first came to my attention when the Member for Calgary-Currie came to me. I know he's got several of my fridge magnets. I have to say that the first duty of an MLA, of course, is to listen to his or her constituents, and I'm happy to do that to the Member for Calgary-Currie.

I do think that the member has done, actually, quite a good job on this particular bill. The bill proposes to amend the Municipal Government Act in order to clarify the power that municipalities in the province have when dealing with delayed or stalled construction projects. Specifically, getting on to the details, this bill would amend sections 541(a), 546(1), 546(2), and 550(1) to direct references to delayed construction developments as situations where the municipality can intervene.

3:30

Now, pursuant to the member's legislation as he has proposed, municipalities would have the authority to require the owner of a delayed project to improve the appearance of the site within a specified time frame or to remove any structures and level the site.

From discussions that I've had with this member, the motivation behind Bill 205 is to improve the overall safety and appearance of our communities. I'd also have to say that it has something to do with property values. When you have a construction site that has been delayed, it can often attract crime as has been the case in this member's constituency. There have been issues regarding crime in that particular area. It has become an eyesore, and it may be a negative drag on people's property values nearby, I would say, through no fault of their own.

Mr. Speaker, the Municipal Government Act as it exists today along with the Safety Codes Act currently contain provisions that would allow municipalities in Alberta to address delayed construction projects within their boundaries. I think it's fairly clear. However, Bill 205 may have the potential to strengthen and clarify the actions that municipalities may take to deal with extended construction delays in their jurisdictions. This could be done at the discretion of the municipality on an individual or site-by-site basis and would be up to the local municipality to do. That's the key. It's not the province actually coming in to tell the municipality what to do. Rather, we're just empowering the municipality to have these particular options.

[The Deputy Speaker in the chair]

Now, Mr. Speaker, as we all know, the economic situation can change at any time, particularly in this province, with very little advance notice. We don't have to look too far into the history books to see what a drastic effect changing economic circumstances can have on the construction of the development centre, particularly, in that member's constituency, which has a lot of high-cost-per-square-foot properties.

Now that we are well on the road to economic recovery, circumstances for Alberta businesses have improved. Construction companies are able to continue with their projects as planned. But at this point, Bill 205 does not seem unreasonable to me at all; in fact, just the opposite. There are many reasons why a construction project or development could be stalled or delayed, not the least of which could be for financial reasons. We don't want to punish the neighbouring businesses and the neighbouring residents in the event that that happens. I can only imagine how many calls this member has gotten from neighbouring residents of the so-called pit on 4th Street. Many people have, in fact, even called me, and it's nowhere near my own constituency.

At the same time, it's important that municipalities have a process, a mechanism through which they can motivate private

companies to continue their work when possible without leaving eyesores, construction sites inactive for months on end or, in fact, 10 years on end, as this member has mentioned.

Now, we cannot predict how economic circumstances over the life of a construction project might change. I think it's important to find the right balance between strengthening a municipality's powers to manage local construction projects and providing a productive business environment. The key, again, Mr. Speaker, is that this bill has absolutely no intention of specifically handcuffing local municipalities but, rather, just empowering them and giving them the tools to deal with a situation such as in this member's constituency.

I believe that this legislation, if properly implemented and enforced, could improve development in Alberta communities. As well, if done properly, Bill 205 could give municipalities a greater ability to oversee the activities that are taking place in their respective jurisdictions.

By developing some of these responsibilities, our government will have more time to improve programs and legislation at a provincial level. In addition, Bill 205 could have the effect of speeding up the construction process in Alberta, meaning that our cities and towns could actually develop more quickly but also in a more responsible and more sustainable manner. One of government's priorities, after all, is to make Alberta the best place to live, work, and raise a family. A part of that is ensuring that our streets are presentable and aesthetically pleasing for visitors and residents.

Also, specifically dealing with my current ministry, Mr. Speaker, we have to encourage community safety. I know that that particular site in the member's constituency on 4th Street has become a real cesspool of crime. There has been drug trafficking there, there has been prostitution there, and probably some other crimes that we don't know about as well, and that doesn't build a solid community in Calgary or anywhere else in this province.

I want to say that I think municipalities themselves have a big role to play in this whole process. Another way that our government can ensure that Alberta remains the best jurisdiction in Canada is by creating a favourable business climate for entrepreneurs and by giving them the best possible chance for success. After having weathered the recent economic storm and emerged in the strongest financial position of any jurisdiction in North America, there is a strong argument to be made that our current legislation is working, but at the same time Bill 205 could help development happen more quickly in our province by incenting construction companies to complete projects on time. In a sense, the bill could potentially enhance our current legislation and, again, empower municipalities to make appropriate decisions when, unfortunately, there are construction stalls or there are construction delays.

Mr. Speaker, I would like to thank the hon. member again for bringing forward this piece of legislation. I do think it's an important discussion we need to continue having.

I wanted to mention as well that in my previous ministry of housing and urban affairs we dealt with some projects that progressed slowly and raised concerns in the local community. Bill 205, I think, is really a good, fresh start, and I do think as a government in the future we may want to look at adopting some of the principles, in fact, under Bill 205. I can also tell you that as the previous minister of housing many people consulted me about that particular area.

We have to remember that if we don't have a process like this, who ends up paying? Well, the neighbouring businesses could end up paying for this. The neighbouring people who live there may end up paying for this through decreased property values. At the

end of the day if the taxpayer is the one that has to actually go in and step up to the plate and actually improve these particular sites, well, all of us end up paying for it through increased taxes.

I don't think that's right, Mr. Speaker. I think that we need a process in place where, in the event that someone does decide to go into a construction project, we have to know that they have a responsibility to the community. That responsibility is that in the event that there is some sort of stall in construction for a long and protracted period, well – you know what? – that particular developer has to step up because it's not just their particular property. It's the entire community's. We end up paying for it through increased crime costs and also, as I mentioned, the property externalities as well. In an economics textbook, going back to first-year university, I recall something called an external diseconomy, and that, in fact, is what this member is seeking to remedy.

I also know that this member has spoken to several members of city council who have voiced their support as well. I thank him for doing his homework in that respect because it looks like the local city council wants this bill passed as well.

I want to say that I will be supporting this bill as it goes forward. Occasionally the opposition does come up with some good ideas, Mr. Speaker, and this is one of them. I know that this is a free vote in our caucus, and I would encourage all members on all sides of the House and all parties to consider supporting this bill because it does address a significant issue in Calgary and Edmonton but also throughout the entire province.

Thank you very much. I'll take my seat.

The Deputy Speaker: The hon. Member for Calgary-Buffalo on the bill.

Mr. Hehr: Well, thank you very much, Mr. Speaker. It is a privilege, as always, to rise and discuss this piece of legislation. To start, I will be supporting this piece of legislation because it's a good, forward-looking bill that addresses concerns in an area that has been dealing with an unfortunate situation for some lengthy period of time. As the hon. Member for Calgary-Currie indicated, this pit has been in the area for 10 years, and I believe this legislation will propose a solution that allows local governments and local communities to address situations like this, where properties have been purchased, development started and, for one reason or another, do not get finished.

As the members before me have said, we understand that sometimes a project that starts out doesn't get finished. Either the economics have changed, the time frame has changed, or the like. Nevertheless, that developer or that individual or the local government should have the ability to offer solutions to a community that finds this distasteful and finds this unnecessary. In fact, this impacts many things, as was said earlier. It impacts the property values, impacts the crime that's going on in that community, impacts businesses that are unable to develop and flourish, and, overall, it brings down the quality of life in that community.

3:40

We all know that this bill, Bill 205, attempts to address the MGA, the Municipal Government Act. The MGA is enabling legislation that allows for prescriptive rules on how our local communities govern themselves. I believe that the MGA, if altered in this way, would be strengthened to allow local communities to do things for themselves as they see fit. That's the direction we want the MGA to play, to allow for prescriptive remedies that allow for local decision-making and allow for people at the local

government level to deal with the situation and address the problem.

What this bill does is seek to find that balance and find that ability to allow for constituents and people who like to go to their local councillor to discuss the situation and have that local councillor bring the information before their civic body and address a situation that has caused a great deal of concern. It sounds like all over this province, not only the Beltline in Calgary but, I believe, from Three Hills to Trochu to Lloydminster to Hardisty to Hanna to Hussar, they could all use the MGA being amended in this fashion. If they do not have a problem like this now, they may at some time have a situation like this in the future. That's why I believe this bill works. That's why I'm supportive of it.

I can also say that I have a little bit of a personal interest, although this is not economic or anything of that nature for then it would be a conflict for me to speak. I spend quite a bit of time in that neighbourhood. I go for coffee at the Purple Perk restaurant, which is near the pit. I go for the odd beverage at Earls or the other pubs in the neighbourhood. I have even seen the hon. Solicitor General in the neighbourhood, enjoying the various shops and the various locales and the various restaurants and the various pubs.

It is truly a remarkable community that has a livability to it but also has a sense of thriving businesses. This is being lost a little bit, to a certain extent, with the pit. It has caused many members of the community to become very angered that they have been unable to deal with this local situation.

I would like to applaud the Member for Calgary-Currie for diligently working with his community on this issue. He's taken their matters to heart and put it forward in a bill. He hasn't just proposed a solution; he's acted on their suggestions so that people have an ability, hopefully, to deal with this concern going forward.

I, like the Solicitor General and the Member for Calgary-Currie, am supportive of this bill. I'd encourage all members to support it. It's a very good bill, and I think that if they looked at it from that perspective, their communities could use it, and it would come into play to alleviate some angst all over Alberta.

Thank you very much, Mr. Speaker. We'll leave it at that.

The Deputy Speaker: On my list here I have the hon. members for Edmonton-McClung, Edmonton-Decore, and Strathcona.

Mr. Xiao: Thank you, Mr. Speaker. It is a pleasure to rise today to join my honourable colleagues in the debate of Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011, sponsored by the Member for Calgary-Currie.

I would first like to thank the hon. Member for Calgary-Currie for bringing forward this legislation. After all, municipalities are at the heart of our province, and it is imperative that we do everything we can to ensure that our municipalities stay as vibrant as they already are. I commend the hon. member for proposing a solution to an issue that is, you know, prevalent in some municipalities, the issue of delayed construction sites that are unsightly, dangerous, or both.

This legislation would amend four sections of the Municipal Government Act: 541(a), 546(1), 546(2), and 550(1). It amends these sections in order to give municipalities the explicit authority to regulate construction sites and projects that are significantly delayed or otherwise halted. Mr. Speaker, I think that all members would agree that it is important for municipalities to have the ability to force the cleanup of construction sites that are dangerous or unsightly. After all, there are few things that are more detrimental to the beauty of a municipality than a project that has

been stalled indefinitely. As well, we want to minimize the risk of accidents or injuries that may occur around abandoned construction sites, nor do we want to put workers in adjacent construction sites at risk of falling debris from construction whose completion has been delayed.

That being said, Mr. Speaker, I also think it is important to acknowledge the fact that the province ought to give ways to municipalities in certain jurisdictional matters. Our government understands the importance of decision-making at the local level, and I believe that the Municipal Government Act is one of the most important laws that we have in our province. Through the Municipal Government Act municipalities already have some authority to regulate and deal with construction that has been delayed. This is something that must be taken into consideration as we debate the merits of Bill 205.

We have some of the best municipalities in the world. Counties, towns, and cities in Alberta have a unique character that is emphasized by their cleanliness, safety, and diversity. The Municipal Government Act is an important piece of legislation that properly balances authority that should be delegated to the local level with authority that should be delegated to the province, and the act helps municipalities maintain strong and healthy communities.

Mr. Speaker, the Municipal Government Act is a lengthy piece of legislation, and it takes some time to find the sections of the act that are relevant to the particular issue of delayed construction. First, I want to talk about section 546(0.1)(1) of the act, which begins by stating: "If, in the opinion of a designated officer, a structure, excavation or hole is dangerous to public safety or property, because of its unsightly condition, is detrimental to the surrounding area, the designated officer may . . ." The section goes on to state that a designated officer can require the owner of such a site to do a number of things such as level the site, eliminate any danger to public safety caused by the site, and improve the appearance of the site.

For those of you who are wondering what a designated officer is, it is an individual appointed by a municipality who has the power to oversee certain jurisdictional matters. The city auditor for Edmonton, for example, is a designated officer who has the power to oversee certain issues of an accounting nature.

Mr. Speaker, this section is an important one, and I encourage all members to read it in its entirety in order to fully understand its scope. In my opinion, this section gives municipalities the authority to handle construction sites that are delayed or otherwise unsightly, so I'm not totally convinced that the amendment the hon. Member for Calgary-Currie proposes will give municipalities any additional powers with regard to managing construction projects.

3:50

Another point I want to make, Mr. Speaker, is that the local problems ought to be solved by municipalities. Of course, this does not mean we are dissolved of any responsibilities when it comes to regulating the actions that municipalities can take, but it does mean that once we give municipal governments sufficient authority to solve a problem, we should allow them to derive a solution. Indeed, municipalities such as the county of Strathcona have used the power bestowed upon them by the Municipal Government Act to pass bylaws that deal with dangerous or unsightly premises.

In the case of the county of Strathcona the relevant bylaw is 80-2007. This bylaw allows a designated officer to issue an order to improve an unsightly or dangerous premise by demolishing the structure or filling in the excavation and leveling the site. I believe

that bylaws passed at the local level such as Bylaw 80-2007 in Strathcona are the best way to solve the problem of delayed construction sites. By allowing municipalities to take care of the issues at the local level, we are limiting bureaucracy and respecting the right of the municipalities to govern as they wish.

In summary, Mr. Speaker, the issue of delayed construction sites, which are undoubtedly an eyesore, is certainly an important one. However, I think that the Municipal Government Act already gives a great deal of authority to municipalities to deal with this issue. In particular, section 546(0.1)(1) as it currently reads gives municipalities a range of options to deal with construction sites that a designated officer determines are either dangerous or unsightly. Furthermore, other sections of the Municipal Government Act allow municipalities to make bylaws respecting the cleanup of delayed construction sites as has been done in the county of Strathcona.

Given the power that municipalities have under this section, I wonder whether the changes proposed in Bill 205 would make any tangible difference in the ability to deal with construction delays. However, Mr. Speaker, this is an interesting idea, so I'm looking forward to hearing what others have to say on this matter.

I would once again like to thank the hon. Member for Calgary-Currie for bringing forth this piece of legislation, and I commend him for expressing concern about an issue that is impacting some of our municipalities. Thank you, Mr. Speaker.

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

Mrs. Sarich: Thank you very much, Mr. Speaker. I am very pleased today to rise and speak on Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011. I first would like to thank the hon. Member for Calgary-Currie for providing the Legislature with the opportunity to speak on this particular issue of delayed construction sites within the province of Alberta and, more specifically, to have the opportunity to speak on this. I would like the Member for Calgary-Currie to know that although our calendars didn't line up to have a face-to-face discussion about the proposal, I have given thoughtful and serious consideration to the proposals that we are discussing this afternoon.

Bill 205, Mr. Speaker, would amend several sections of the Municipal Government Act with the intent of providing municipalities across the province with clear authority to deal appropriately with delayed construction sites. I'd like to say that this is very appropriate timing because it's my understanding that the Municipal Government Act is moving forward for a review. So the subject matter under discussion is very appropriate because of the other review of the MGA.

Mr. Speaker, any construction project that is significantly stalled, delayed, or suspended for an unreasonable length of time would be subject to interference from the municipality. It falls under their responsibility. If a designated officer feels that a significant delay has occurred in the construction of a development, the officer may issue written orders to the owner of the project, requiring improvements to the appearance or demolition and levelling at the particular site. In the instance that the site contains an excavation or hole, the owner would be required to fill in the excavation and level the site.

Mr. Speaker, I respect what the hon. member is aiming to accomplish with this particular amendment. Delayed construction sites can from time to time be an eyesore and a source of frustration for residents in the local community or in areas where they occur, and I understand that. However, municipalities know that they have the authority to resolve these issues. I have heard

that in some instances within municipalities across the province perhaps there is a bit of confusion around natural person power. The authority is granted by the current Municipal Government Act. However, I think what is being asked for is some clarity, and certainly this particular amendment is providing just that. As stated in the act, municipalities are able to issue orders regarding structures, excavations, or holes considered unsightly or dangerous to public safety. The act also refers to structures, holes, or excavations that are determined to be detrimental to the surrounding area. These areas are clearly under the jurisdiction of the municipality in which it resides.

The hon. member has used a construction site in Calgary that has remained as an open excavation for nine years as an example of a stalled project, which is a very good example for consideration. It's my understanding that local residents in the area have been quite frustrated about the goings-on of that particular delay, while construction has been on and off again. I understand that. I would imagine that a site such as this, that has been delayed for nine years, could be classified as detrimental to the surrounding area, Mr. Speaker. Therefore, the municipality should have reasonable authority to address the matter.

However, at times there are always extra questions raised. I can't say for sure whether the municipality is using the current legislation to the fullest extent to resolve the issue. But, you know, as a government we have to listen, always consider other aspects, and try to help and intervene where possible. I think that the intent of this particular amendment is certainly going in that direction and is allowing for further considerations by the government.

Mr. Speaker, as I had touched upon, municipalities hold the power to regulate construction sites so long as they are detrimental or unsightly in the opinion of the designated officer. However, as we can see, at least one site has gone for over nine years without being completed or considered by the municipality. It concerns me, in particular, that definitive action hasn't been taken. If I may quote, the Supreme Court of Canada has said, "Lawmaking and implementation are often best achieved at a level of government that is not only effective, but also closest to the citizens affected and thus [should be] most responsive to their needs." I believe that this quote really is germane and says it perfectly. The current legislation that we have in place grants municipalities the power to deal with this particular issue, yet they have until now not dealt with the issue, and there should be further considerations regarding the current piece of legislation.

4:00

At this point, Mr. Speaker, I have to say that I want the Member for Calgary-Currie to know that I support the direction of this amendment, and I would be encouraging all members of the Legislature to give it serious further consideration, given that the Municipal Government Act is under consideration for review in that process they've just started and that this amendment fits quite nicely into that review process.

I, therefore, would be supporting these directions. Thank you, Mr. Speaker.

The Deputy Speaker: Does any other hon. member wish to speak? The hon. Member for Strathcona.

Mr. Quest: Thank you, Mr. Speaker. I'll keep my comments brief. I do appreciate the opportunity to spend a few minutes to speak about Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011. I know that the Member for Calgary-Currie has done a great deal of work on this bill and has had extensive consultations, as he has said, with some of the

municipalities. We know that they do have the authority under the Municipal Government Act and their own bylaws to deal with these delayed construction sites.

Having said that, I think that after listening to the comments – and I'm not going to repeat them – of the members for Calgary-Egmont, Edmonton-McClung, and Edmonton-Decore, I just would like to say that I think the hon. Member for Calgary-Currie has done a good job on this bill. So I will be supporting Bill 205, and I would urge all other members of our Assembly to do so.

Thank you, Mr. Speaker.

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

Mr. Weadick: Well, thank you, Mr. Speaker. I appreciate the opportunity to rise and speak for just a moment on this important issue. I'd like to thank the Member for Calgary-Currie for bringing forward Bill 205, the Municipal Government (Delayed Construction) Amendment Act, 2011. I had the privilege of serving on Lethbridge city council for nine years, and I can honestly tell you that some of the most difficult decisions that we had to make were around issues like this, around issues with properties where construction may have been delayed or stopped.

You've heard from the member here about a project called the Atrium Building. Now, the Atrium Building in Lethbridge has gone on something longer than 30 years. I don't even know the exact amount of time because I can't remember far enough back, but it was many, many years ago. It might even be closer to 40 years ago that that building was started. It's in the middle of the downtown. Three floors were poured in concrete, and then the building sat. Mr. Speaker, that building has sat for three or four generations. It has been boarded and unboarded. It has had people in it, playing there. It has been unsafe. I know from my time on city council that trying to deal with these kinds of issues was so difficult.

Mr. Speaker, I commend the member. I had an opportunity to sit and meet with the Member for Calgary-Currie and talk about this issue. I went back to my community and talked to my council about the issue, and they strongly supported just a word from the government to say that they have the authority to do this. "We know that within the Municipal Government Act it appears that we may have the authority to do this, but we would like that clarified. We'd like to know that when these issues come up, we as municipalities can and will be able to deal with them."

On behalf of my community and on behalf of communities across the province I would ask members of this Assembly to please consider supporting this legislation. During the review of the Municipal Government Act I believe it will assist in some direction to the minister and it will allow him to move forward and see direction in municipalities, where they can deal with these important issues around unsightly premises, construction sites that have been delayed, and, ultimately, buildings that have never been completed.

Mr. Speaker, I thank you for the opportunity. I again compliment the Member for Calgary-Currie for the time and commitment he's put into this bill. We've met at least twice on it, and I know he's phoned me a number of times. I do appreciate his dedication.

Thank you so much.

The Deputy Speaker: The hon. Member for Rocky Mountain House.

Mr. Lund: Thank you, Mr. Speaker. I, too, want to congratulate the hon. Member for Calgary-Currie for bringing this forward

because, certainly, it clarifies what a municipality has currently. It leaves no doubt.

The hon. member in his speech mentioned the fact that Sundre was one of the places where there was a problem. Unfortunately, this doesn't go quite far enough to solve the problem in Sundre, where a developer started doing a bunch of work and because it was a subdivision, he took deposits from some of the people that were going to be residents of the area, and then the company went broke. Well, now, of course, the municipality is sitting there with some holes in the ground, some infrastructure like water and sewer pipes partially completed. It's really, quite frankly, quite a mess, but even worse is that the people that made the down payments have lost their money. So while this is good – it's a good start – there would need to be some other kind of remedy to solve the kind of problem that is in the town of Sundre.

Once again, I'll be supporting this. I think it's a good move in the right direction. Certainly, as we move forward and do the review on the Municipal Government Act, this will be a good foundation to deal with that type of issue.

Thank you.

The Deputy Speaker: Any other hon. member wishing to speak on the bill? The hon. Member for Edmonton-Strathcona.

Ms Notley: Yes. I'd also like to take the opportunity to rise and speak briefly on Bill 207. Again, with many of the other members I'd like to offer my compliments to the Member for Calgary-Currie, who certainly, I think, pretty much must have spent his summer meeting with every member of the Legislature, trying to get their support for this bill. I know that that takes a lot of work. It was certainly something that mattered a lot to him, to do something to assist the members of his community.

I think it's an issue. I mean, many members have already outlined the fact that the current authority under the Municipal Government Act may be unclear in terms of whether municipalities can assert this type of authority with derelict developers when that opportunity exists. It seems to me that the public policy issue here is that this clearly relates to communities. It relates to the economic health of communities. It relates to the ability of people on the ground to improve the environment within which they live and also the local economy within which they live. So it's really important that the government that is closest to those issues have the ability to respond to members of the community who would rightly raise issues with them about it when there are problems.

It seems to me that there is certainly nothing that can be negatively . . .

An Hon. Member: Perceived.

Ms Notley: . . . perceived – thank you – or any sort of negative consequence to this bill. It certainly would clarify authority in a way that I think most members of this House believe it ought to be clarified. So that's very useful.

It's interesting, of course, that it appears as though there are really a number of members on both sides of the House that support this bill, so it really is quite unfortunate that we're probably only going to get the bill to second reading with the number of weeks that we've had sitting in the House this year. We're at Bill 207, and I'm afraid that Bill 207 will not . . .

An Hon. Member: Bill 205.

Ms Notley: Oh, sorry. Bill 205. My goodness, we've only gotten to Bill 205 of the private members' bills.

Where we have something that I think everyone can agree is an indication of good public policy, it's unfortunate that we're not able to have enough weeks in the Assembly to actually get it all the way through so that it would become law. Nonetheless, hopefully members of the government will have due regard to the points raised here and the general appearance of consensus on the issue and move forward to bring in this kind of legislation when the opportunity next arises. Certainly, our caucus would support that.

Thank you.

The Deputy Speaker: Any other hon. member wishing to speak on Bill 205?

Seeing none, the chair shall now call on the hon. Member for Calgary-Currie. You have five minutes to close the debate.

Mr. Taylor: Thank you, Mr. Speaker. This is a simple, straightforward piece of legislation. It was specifically designed that way so that it would minimize unforeseen consequences. There are always problems with that happening, potentially, and the simpler, I think, and more straightforward you make a piece of legislation – and this one, in essence, really focuses in on one section, section 546 of the Municipal Government Act – the less chance you have of those unforeseen consequences.

I want to thank members on all sides of the House for speaking in support of this bill. I do believe that it is a good piece of legislation in that it gives clear authority to local governments to solve local problems. I think that's in the interests of all Albertans. I thank everyone in the House for speaking to this bill.

4:10

The Deputy Speaker: The hon. Member for Calgary-Currie has closed the debate. The chair shall now call the question.

[Motion carried; Bill 205 read a second time]

Bill 207 Seniors' Property Tax Deferral Act

The Deputy Speaker: The hon. Member for Red Deer-North, please.

Mrs. Jablonski: Thank you, Mr. Speaker. It gives me great pleasure to rise today and begin second reading debate on Bill 207, the Seniors' Property Tax Deferral Act.

Mr. Speaker, I'm bringing this piece of legislation forward because I believe that it could have a significant, positive effect on senior citizens in Alberta. Bill 207 would provide a fiscal benefit to the hundreds of thousands of seniors living in this province. This would be accomplished through a program that would give seniors the option to defer a portion or all of their residential property taxes. Through introduction by a member of the Executive Council, Bill 207 would grant seniors the opportunity to reallocate money that would normally be paid for property taxes into other areas of their lives.

Of course, certain requirements would need to be met by any senior wishing to take advantage of this program. In order to be eligible for the deferment, the applicant must have lived in this province for at least one year and have at least 25 per cent equity in their home. This is a deferral program, Mr. Speaker, not a grant. These taxes will be paid back in full, with interest, on the sale of the property, the death of the owner, or at any time the property holder wishes.

This bill could help a lot of people in this province. The number of seniors in Alberta grows every year, and it will continue to

grow for many years to come. We currently have over 400,000 seniors living here, and this number is expected to double within the next 20 years.

It is of utmost importance that we take the proper steps to ensure that these citizens are comfortable and able to spend their latter years in a manner that best suits them. For many seniors continuing to live in their own home provides them with comfort. By allowing those who are eligible to defer their property taxes, we will be allowing them to keep more of their money in their pockets and to spend it on other priorities. They will be able to use this money on things like utility bills, groceries, medications, upkeep on their homes, and anything else they might need.

Costs of living are rising. This can lead to financial troubles for anyone living on a fixed income but even more so for an individual who may not be able to attain extra income. Seniors don't often have the options that many Albertans do, and that's to look for a higher paying job when times are tough. Whether it's a pension, government transfers, or some other income that they're relying on, the point is that it's often their only option. They don't have the opportunity to apply for a more lucrative pension or negotiate a raise with their boss. Their income is fixed.

Mr. Speaker, this is a government that looks after Albertans. Over the past 40 years we have introduced, implemented, and improved countless programs to lend Albertans a hand when they need it. For example, we have the education property tax assistance program, the affordable supportive living initiative, and the Alberta seniors' benefit, all of which help seniors in this province. The education property tax assistance program has given senior homeowners an annual rebate on the education portion of their property taxes since 2004. For low- and moderate-income seniors or those requiring supportive accommodation along with health and personal care services, we have the affordable supportive living initiative. Some individuals may also be eligible for the Alberta seniors' benefit. This program is based on income, and the amount of the benefit depends on other factors such as the applicant's type of accommodation and marital status.

These are all valuable programs that provide a great benefit to those who meet the requirements, but we can do more, Mr. Speaker. We can allow seniors to defer their property taxes so that they can use this money for immediate necessities. Alberta would not be the first province to introduce such a program. British Columbia currently offers the property tax deferment program. This program allows seniors or persons with disabilities to defer their annual property taxes on their home provided they meet certain criteria. The criteria they set forth are similar to what Bill 207 would require. A few of the B.C. requirements stipulate that a person must be the registered owner of the house, be 55 years or older or a surviving spouse or a person with disabilities, have lived in the province for at least a year, and have a minimum of 25 per cent equity in their home. Like Bill 207 the B.C. program charges interest on the deferrals for as long as the owner chooses to defer the taxes. The deferred taxes must be fully repaid with interest before the home can be sold or upon the death of the agreement holder.

Other provinces have property tax relief programs in place as well. Ontario, Quebec, Nova Scotia, P.E.I., and several other jurisdictions in Canada provide their own variations of seniors' property tax assistance.

Bill 207 is also in stride with Alberta's continuing care strategy, known as aging in the right place. Part of this strategy is to provide Albertans with more options for home-care services and alternatives to strictly facility-based care. By allowing more seniors in need of these services to age in their homes, we will be helping to make this continuing care plan a reality. More seniors

will be able to explore options they may not otherwise have available to them should they be forced to leave their homes for financial reasons.

Mr. Speaker, Bill 207 has a lot of potential. It has the potential to help seniors stay in their homes despite facing increased costs of home ownership and basic costs of living. I've listened to my constituents and the seniors in this province. They want to spend as much time in their homes as possible. Bill 207 would be a step in the right direction.

Seniors enrich our communities, our neighborhoods, and all of our lives. I believe that we should do anything we can to assist these valuable members of our society. That's why I'm in favour of Bill 207 and strongly urge every member of this House to support the seniors' property tax deferral program.

Thank you.

The Deputy Speaker: Any other hon. member wish to speak on the bill? The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Mr. Speaker. A pleasure to stand and speak to Bill 207, a very progressive piece of legislation that, of course, the opposition party has been pressing for for a number of years and that, obviously, many other provinces embraced some years ago, including for people with disabilities, which I gather isn't the case in this case. [interjection] They are also included in this bill, the hon. member mentioned. That's good. That's progress

Especially in Alberta, you know, the question of property taxes is a big one and perhaps more so in urban areas than rural areas since the property taxes in rural areas have been frozen since about 1984, I understand, and the property taxes in urban areas have gone up something like 500 per cent over that period of time. So there are real questions among Albertans about just how seniors, particularly, can afford the urban hit that they're getting on property taxes, which has been so significant.

Mr. Speaker, I'm into prevention, as many people know. To ensure that seniors have adequate resources to work with to feed themselves, to transport themselves, to maintain a quality of living, to actually maintain some extra supports in their home based on their own income is critically important to health: mental health, physical health, social health. To be able to sustain themselves in their own homes is so fundamental to health that I think it's a very important thing that we recognize that the public purse can afford deferral of property taxes. Especially for those for whom the education system is hardly relevant anymore, it seems to make a lot of sense to have deferral of tax such as many other provinces have supported.

4:20

It's reasonable criteria that citizens have to be in the province for over a year and have to have something like 25 per cent or more equity in the house. These are some measure of security that there will be continuity and follow-through and the ability to deal with these taxes when the time comes.

Mr. Speaker, the Alberta Liberal caucus has been supporting this initiative for many years, and it was part of our policy platform in the '08 election. We certainly support this and feel that it will make a significant difference to seniors and their well-being, their sense of security, and their ability to meet some of the basic needs in their preferred place of residence. I'm pleased to say that at least from this vantage point – and a lot remains to be decided in terms of the details of how this is implemented – from what we have seen so far, I'm impressed that we're moving in the right direction.

Seniors deserve this. They helped create this province. In many cases they have over a lifetime contributed such a substantial amount to our province both in terms of their work and also in terms of their finances and have improved quality of life in this province. We should be making every effort to ensure that they can stay with dignity. Many of them have great difficulty asking for help.

This will anticipate some of the issues that many seniors are facing with the rapid inflation and cost of living that's happened in the last decade in this province. As I say, particularly in the cities, where the market value assessment has shot through the roof on many of the properties, urban seniors are spending so much more than their rural counterparts in terms of property tax. Of course, this has to be taken into consideration at some point and some protection given for these seniors to ensure their optimal well-being.

I look forward with interest to hearing the rest of the debate. These are positive indications, and I'm encouraged by this direction. Thank you, Mr. Speaker.

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

Mr. Rodney: Thank you very much, Mr. Speaker. I rise today to debate Bill 207, the Seniors' Property Tax Deferral Act. Like so many of my colleagues that I've spoken with in the past about this, I'm so pleased that the hon. Member for Red Deer-North has brought this bill forward. It concerns, obviously, a rapidly growing segment of Alberta's population. Our most experienced Albertans, of course, are seniors.

Mr. Speaker, upon introduction of this bill the hon. member rightly pointed out that while the Alberta seniors' population is currently at 400,000 citizens or so, it is expected to rise to well over 600,000 people as early as the year 2020. That translates into a more than 50 per cent jump in less than a decade. Needless to say, that's an enormous change in very little time. This trend is not about to recede as the baby boom generation, those who were born between 1946 and 1965, continues to age.

Now, Mr. Speaker, like the generations before them our seniors generally have no desire to move upon retirement. They want to maintain the high quality of life that they've enjoyed throughout their lives, and I can't think of anything more normal than this deeply entrenched human desire. As we all know, the comfort of a home, especially one we have lived in for so long, is unparalleled. It is only natural to want to stay there for as long as possible, and many seniors do.

For some, especially those who are on a fixed income, moving can rapidly become the only possible solution to financial hardship. I know that this is the problem that the hon. Member for Red Deer-North wanted to tackle when she initiated and introduced this bill. Indeed, Bill 207 brings forth a potential solution to this financial predicament by giving senior individuals the option to defer their annual property taxes if certain criteria are met.

While such a program would be a novelty in Alberta, that's not the case in many other jurisdictions as has been pointed out. As an example, B.C., our provincial neighbour, is facing similar challenges, and like Alberta they're also looking for ways to maintain and improve their senior population's quality of life. Today I'd like to speak just a little about our friends to the west and what they've done with their property tax deferral program, a program akin to the one that the hon. member seeks to implement right here in Alberta.

Mr. Speaker, B.C.'s property tax deferral program has been in place for some time already, and it does allow seniors and persons

with disabilities to defer their annual property taxes on their home if they meet certain requirements, which are well defined, I might add, and I believe that they should be. Obviously, the person must be the registered owner of the home, must be 55 years of age or older, a surviving spouse, or a person with disabilities as defined in the act, which in B.C. is the regulation of the Land Tax Deferment Act. In addition, several other criteria must be met such as Canadian citizenship, B.C. residency, and minimum equity and insurance requirements.

Certain financial restrictions also apply. For example, if a person's application is approved, a \$60 administration fee will be charged, and interest, the rate of which is set every six months, is also applicable. This ensures that other taxpayers aren't covering the costs associated with those taking advantage of the program, and that seems only fair. At the moment the interest rate for B.C.'s property tax deferral program is 1 per cent for the period covering April 1 to September 30, 2011. In B.C., Mr. Speaker, deferred taxes must be fully repaid with interest in these instances: one, before the home can be legally transferred to a new owner other than directly to the surviving spouse, that is; or, two, upon the death of the agreement holder or holders. A senior or a person with disabilities may repay all or part of the deferred taxes, fees, and interest at any time without penalty. That's a distinction worth noting.

Now, Mr. Speaker, I think it's important to mention that B.C. recently implemented two other similar programs but with higher interest rates, which are at 3 per cent each. The first such program, which has since been terminated, was called the financial hardship program. It was offered in 2009 and 2010 at the height of the worst recession Canada had experienced in over 50 years. Given that B.C.'s economy has now largely recovered, it's no longer available. But I suspect that it helped many families along the way. In speaking with a number of friends, especially on Vancouver Island, I know that to be the case.

The other initiative is called the property tax deferment program for families with children. That just started last year. It's a new option, obviously, available to assist families during those years when household costs can be the highest. I know many of us can relate to that. It's more of a loan program that allows families to defer all or part of the annual property taxes on their home for the 2010 and following tax years. Of course, like the regular property tax deferral program certain criteria have to be met in order to be eligible. Again, like the regular property tax deferral program it's meant to give families in need some financial flexibility. It is not and should not be seen as a way to avoid one's tax responsibilities indefinitely.

Now, these tax deferral programs appear to be working well given that they've been in place for a while now. Similarly, the fact that B.C. has implemented more than one such program is surely an indication of success.

Mr. Speaker, supporting our most vulnerable is the intent behind Bill 207, the Seniors' Property Tax Deferral Act. As I mentioned before, it targets a large, growing segment of our population. Given that seniors are among the most at risk when it comes to financial hardship, certain ones specifically, it makes a lot of sense to alleviate, if only temporarily, their financial burden so that they can enjoy their retirement, that they've worked their whole life for.

4:30

I know that this bill was introduced for all the right reasons. I also think that further debate would be worth while on this subject because what works in B.C. won't necessarily work here in Alberta. At the very least, we have to set our own parameters, a

made-in-Alberta solution, so that such a program would suit the specific needs of the elderly population and the fiscal capacity of our taxpayers. Ultimately, one of my biggest concerns is that some individuals might become overreliant on such deferral programs and might overextend themselves by pushing back something that may be inevitable in the long run.

But let me be clear, Mr. Speaker. None of my concerns are insurmountable. In fact, overall I know that this is a good bill, especially considering the history of the author. For this reason I'd like to commend the hon. Member for Red Deer-North for her great work on this matter, and I encourage my colleagues from all sides of the House and everyone in the Assembly to continue this debate as I believe it will ultimately serve our experienced Albertans, our seniors, that we owe great respect and thanks to.

I thank you, Mr. Speaker.

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

Mr. MacDonald: Yes. Thank you very much, Mr. Speaker, for this opportunity to speak on Bill 207, the Seniors' Property Tax Deferral Act. This is certainly an interesting private member's bill. I appreciate the opportunity to speak, and I also appreciate the hon. Member for Whitecourt-St. Anne's interest in this matter.

There have been many proposals to help seniors out with their property taxes. There have been many, many different plans discussed over the years that I've been here on: what's the best way of helping out? For some seniors who are retired for a while, of course, their pensionable income gets eroded because of cost-of-living increases, tax increases, power bills. There are a number of pressures on the disposable income of seniors, and this is one way of helping them. The city of Edmonton has a program. It's a rather modest program, but it's a little bit of a help. There's no denying that.

Whenever we look at what's going to happen with the review of the Municipal Government Act, at how property taxes are going to be affected by that – as I understand it, there is a review of the Municipal Government Act going on now; another hon. member referred to it in the discussion and debate on the last private member's bill that was before us this afternoon. The Municipal Government Act provides the legislative framework, as hon. members are aware, for Alberta's system of municipal government, including the property tax system. The review that is to take place over the next couple of years will include public consultations. I know the Minister of Finance is very proud of the recent public consultations behind closed doors that he held. Certainly, this would be an area of interest.

This bill I could certainly support to defer tax requests or tax payments until a number of issues could be addressed or settled. I have no problem with that. Certainly, hon. members have talked about what happens in British Columbia. In British Columbia there are also exemptions from the education portion of the property tax for seniors. That would be a broader discussion, Mr. Speaker. Property tax in this province, as we know, is made up of two different areas, the municipal property tax and, of course, the provincial education property tax. What we're talking about here is the municipal property tax or that portion of the requisition.

Now, we collect over \$1.6 billion in education property tax across the province on residential and farm property and nonresidential property, and the total tax bill for property taxes is significantly higher than that. I think it's in excess of – and I could be corrected on this – \$4 billion or better. I certainly would like to know from the hon. Member for Whitecourt-St. Anne: how much does the hon. member anticipate that this program would defer? How exactly would this affect the entire property tax requisition

or collection, as they would say? I'm just interested in a few more details than have been provided to date on this.

It doesn't seem like a bad idea. It would certainly give seniors one more option, and it's a good option. I certainly would like to see this come into force. I would like to see it passed by this Assembly and become the law of the province.

I would like to know how we would administer this, how much that would cost, and who is going to administer it. These are questions, I suspect, that the hon. member has a quick answer and a correct answer for. Certainly, Mr. Speaker, Bill 207, as I understand it, would be one more option, a good option, for seniors in this province, and I think it's time that we consider that.

Before I conclude, Mr. Speaker, I would like to remind hon. members that we don't have an aging population in this province. I know it's easy for some hon. members of this House to stand up, particularly on the government side, and blame seniors for health care costs and the escalation of those costs, but we all know that there's between 10 and 11 per cent of the total population over 65. British Columbia and Saskatchewan have a larger number of seniors than we have, and they seem to be able to control and manage their health care costs much, much better than we can in this province.

The three youngest cities, according to the census of metropolitan areas from Stats Canada, again, are Saskatoon, followed by Edmonton, followed by Calgary. In Edmonton and Calgary the average age is around 36 years, the same age as the Solicitor General. I'm sure the minister of seniors and community supports would like to be that age again.

Mr. VanderBurg: Agreed.

Mr. MacDonald: Yes.

Mr. Speaker, if you look at the Alberta Health Services annual report, you will see where for the last three years there have been over 50,000 babies born in Alberta hospitals. We don't have an aging population, and it's unfair for some on the government side to blame the mismanagement in Alberta Health Services and in health care for this population increase, supposedly, in seniors. Only 10, 11 per cent of the population is currently over 65, and they're not driving up health care costs. It's this policy or this ideology of this government that, in my view, is the problem.

This bill does give our seniors one more option, one more choice. If they want to defer their property taxes and we have a system that's in place to do that that's not cumbersome, well, then let's do it.

Thank you very much.

4:40

The Deputy Speaker: The hon. Minister of Seniors.

Mr. VanderBurg: Thank you, Mr. Speaker. First of all, I want to thank the Member for Red Deer-North for carrying on her commitment to the seniors of Alberta. It's an interesting way that this bill has progressed in the Legislature. It's one of a kind in all of Canada. There's never been a private member that's been able to pass a bill to a previous minister and that member that sponsored the bill be the new minister. It's a real tag team that we have in the Legislature working together on this important piece of legislation.

Mr. Speaker, the previous member talked a lot about having another option for seniors and went on to talk about the health care issues. Let's get it very straight and very clear that this bill is all about keeping seniors in their homes longer. Right now a lot of our investments in our own personal portfolios have gone south, and if we can give the opportunity for seniors today in Alberta to

be able to pull some of the equity out of their homes by having a tax deferral program, it's a great option.

I go back to when my mom was alive. In Whitecourt her little 750-square-foot house had a small property tax from the town of Whitecourt for \$1,200. It wasn't a lot of money by the standard of a lot of homes, but it was \$1,200 that she had to budget her hundred dollars a month for, and she was proud to do that. Many times I worried that mom's budget was so close that she wasn't buying the groceries and making the expenditures that she needed to make to keep independent and stay in her home. My brother and my sister and I would often tell her: "Well, mom, don't worry about it. We'll pay your taxes for you." But, no, our seniors wanted to be independent, and they didn't want help from others. I know that if a program like this had existed, mom would have taken advantage of it, and she would have deferred her property taxes, but being independent and wanting to do things on her own, she said: "No. You know, I can manage my own funds, and I can pay my own bills. You kids don't have to pay my bills."

She made her way, and I know her friends made their way, especially those single widows. There was quite a group of them that lived in their own homes and were proud to live in their own homes. But I listened intently to their conversations, and if there had been a government program, I know that they would have taken part in it.

The previous member talked a bit about expenditures. This will cost the government some money to set up, but eventually, you know, with a low, modest interest rate charged to the applicant, this program will carry itself, and this program over time will prove to be one of the most valuable programs we have to keep seniors in their own homes, to keep them independent. I think that it will be very, very well received. I know that it was a slow start-up in British Columbia, but a year and a year and a year come on, and more and more people sign on to this program.

As the new Minister of Seniors I am excited about this bill. I'm excited that it finally got to this point in the Legislature. I know it has wide support from members on both sides of the House, and I'm proud that we can talk about a bill that we all are excited about.

Mr. Speaker, once again, I want to say a thank you to the previous Minister of Seniors. I'm excited that she's excited about this bill, and I'm excited that all of you here are going to be supportive of this bill in the vote.

Thank you, sir.

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

Ms Notley: Well, thank you. It's a pleasure to be able to rise to speak on this bill, and I'll only do so briefly. It is a bill that includes in it some worthwhile components that, obviously, will in certain circumstances represent a hand and a level of support to seniors in our province. While it's certainly not close to being part of the kind of comprehensive seniors' support system that our caucus has been calling for for some time, it is a small, small step in that direction or a direction towards helping seniors in some small way.

When I first got elected I met with a lot of seniors quite regularly, and they were always very keen to remind me at the very outset about how they had lost their education tax exemption under Ralph Klein and they had all banded together and supported the need for the province to make serious cuts and for citizens in the province to sustain serious cuts as we all sort of worked together in order to balance the budget. Many of them at the time were supportive of those kinds of cuts.

What has happened, of course, is that up until fairly recently the budget was balanced. In the meantime we've been slowly reducing corporate taxes per cent by per cent by per cent each year. We've actually reduced the royalties that we collect from oil and gas producers in this province over the course of the last two or three years. So we've reduced taxes for the wealthy and for major corporations.

We've given back to them, Mr. Speaker, but we have not yet ever given back to seniors in the way that they believe they were promised back when former Premier Klein talked the majority of Albertans into believing they needed to tolerate grand and substantial cuts to our social support systems in this province to the extent that we are still recovering from those cuts and still feeling the symptoms of those very thoughtless cuts 20 years later. It has to be sort of looked at within that context, that that's what's happened here.

When you also consider that it's being done in the context of a Premier who has basically announced that she's going to take the cap off of long-term care fees so that if these seniors should be in a position that they are compelled to leave the house, that they may have lived in with any luck for 10, 20, 30 years after they retired, to go to a place where they need more support, those seniors will be paying much more than they were before. In the words of this Premier: seniors who have money should pay their fair share, and then we'll have, you know, little sort of special subsidies for those at the very, very, very lowest of the income rate.

Basically, what we're going to find is that in many cases these seniors will go to sell their houses in order to finance their transition to one of these now ridiculously expensive seniors' homes, which have been allowed to develop under the plan of this government to have the private sector develop our seniors' care regime and to do so with almost no limits on how much they can charge, and then, of course, they will have to first pay back the government for the property taxes that they didn't pay, that they used to not have to pay before Ralph Klein got into power. Yes, I know it was a long time ago that Ralph Klein was in power, but I hate to break it: this is the same government. We are still dealing with the downfall of those decisions 20 years later. Even though it is 20 years later, it's the same government, so the responsibility for those policies still rests at the feet of this government.

When you put it all together, what you do see is a wealth shift from seniors to the government and then through the government to the wealthy and to large corporations within this province. That's the situation that they're going to create. They will be asking seniors to fund far greater and greater levels of their own care as we go forward. That's clearly the plan of the new Premier. She has been very open that she thinks that's the model that we should use.

4:50

While this will be of some assistance in allowing seniors to manage those increased pressures and those increased demands on their relatively smaller pocketbooks, it is still just that. It's something done in the context of a government that refuses to look at the wealthier Albertans who've been benefiting for decades from an ill-thought-out flat tax and refuses to look at a royalty regime which is, without question, the lowest in the developed world, that leaves the most in the pockets of multinational oil and gas companies at the expense of Albertans and in this particular case, in this example, at the expense of Alberta seniors.

I do believe that both the original mover of the bill and the current mover of the bill are doing what they can to provide some assistance to seniors, but I think it's important historically to

examine the context in which this is happening. While those particular members were not part of the decisions which took so much from seniors in the '90s and restructured our tax system so that lower and middle-income Albertans are paying more taxes than wealthy Albertans and large corporations, overall this is within that context, and it should be seen as such.

I appreciate the members for what I think are their best intentions. Of course, I would certainly never vote against a bill that would give some assistance to seniors, but I think we can do more, and I think we can do better. I think we need to reverse the long-term trends that this government has been leading at the expense of Alberta's families over at least a couple of decades now.

Thank you.

The Deputy Speaker: Any other hon. member wish to speak? The hon. Member for Edmonton-Mill Woods.

Mr. Benito: Thank you very much, Mr. Speaker. It is a privilege to be able to rise today and speak to Bill 207, the Seniors' Property Tax Deferral Act, which is being brought forward by the hon. Member for Red Deer-North. First of all, I would like to thank the hon. Member for Red Deer-North for all the hard work she put into this bill.

Mr. Speaker, Bill 207 provides an opportunity to help some of our most treasured citizens: seniors. We all know how valuable seniors are and have been to our communities and to our province. Because of this, defending and protecting their interests is always a priority, and I can assure you that our government takes great pride in looking out for our seniors. The objective of this bill is to establish a property tax deferral program where Alberta seniors can defer all or a portion of their residential property taxes and can pay them back any time.

It is very important to remember that seniors have played such an important role in making our province and our country what they are today. As they age, they should both be helped and recognized for the many contributions they have made. Bill 207 could go a long way toward helping meet this outcome. Mr. Speaker, quite simply, our population is aging, and our government is already preparing for that reality.

On a personal note, I am in full support of those initiatives that help make the lives of our seniors better. The bigger question, perhaps, is whether or not Bill 207 and its financial implication of allowing seniors to defer their property taxes will truly accomplish this. I believe that this issue is a very worthwhile one to be discussing today.

[The Speaker in the chair]

With that, I would like to conclude my comments on Bill 207. I fully support this. Once again I would like to thank the hon. Member for Red Deer-North for her work on this piece of legislation and for bringing it before us today.

Thank you very much, Mr. Speaker, and I look forward to the remainder of the debate.

Mrs. Ady: Mr. Speaker, I'll just be very brief. I also want to support this bill. As I look at my husband's grandparents, who lived in their home 70 years and were able to be very healthy and happy there but saw their taxes rise and the value of their home rise to the point where they were having a difficult time affording it, I think this is the right way and the right motion.

The Speaker: Are there additional speakers?

Mr. Xiao: Yes, Mr. Speaker. I also just want to add my voice in support of this bill. There are a lot of seniors in my riding. Especially those seniors who have lost their spouses, have been living in the house for decades, and are living on a fixed income: I think this would relieve the financial pressure on those seniors. We have a lot of seniors we call house poor because of the escalating values of the house. The house is worth a lot of money, but the income has still not changed.

I'd like to add my voice to the support of the bill. Thank you.

The Speaker: Additional speakers?

Shall I call on the Member for Red Deer-North then to close the debate?

Mrs. Jablonski: Thank you, Mr. Speaker. I'm very pleased to hear other members in our Assembly supporting this bill. I think this is a very good option that we could put forward for our seniors, so I would just ask everyone to support this bill.

I look forward to having that vote now, Mr. Speaker.

[Motion carried; Bill 207 read a second time]

Mr. Denis: Mr. Speaker, it's three minutes to 5. Of course, 5 o'clock is when we will be discussing the private member's motion. I would ask for unanimous consent of the House so that we could begin this now.

The Speaker: Is anyone opposed? If so, say no.

[Unanimous consent granted]

Motions Other than Government Motions

Statement by the Speaker

Anticipation and Possible Duplication of Private Member's Motion 508 and Bill 23

The Speaker: The clock for 60 minutes will begin now. Prior to doing that, hon. members, my attention has been drawn to a similarity between Motion other than a Government Motion 508 and Bill 23, the Land Assembly Project Area Amendment Act, 2011, which is currently before the Assembly at third reading.

The issue arises because of the principle that the Assembly should not consider the same question twice in the same session and that the motion would violate the rule against anticipation found in Standing Order 23(e) and referred to in *Beauchesne*, sixth edition, paragraphs 512, 513, and 566(7). In short, the precedent is that a bill supersedes a motion on the same subject.

The chair notes that in recent years there has been a tendency to be more lenient when it comes to applying these rules to private members' business. The chair addressed this issue on May 1, 2006, at page 1150 of *Alberta Hansard* for that day with respect to a private member's motion on fixed election dates and a private member's bill on the same subject, and allowed the motion to proceed.

In this case, while the motion is on the same subject, the specific issues addressed in the motion differ from those in Bill 23. For instance, Motion 508 refers to amendments to the provincial constitution, and there is nothing in the bill on this subject. Also, the motion calls for the repeal of certain acts, but the bill does not repeal the statutes. The chair is not clear as to whether compensation for all forms of property loss are covered in the bill.

As noted in the chair's May 1, 2006, ruling, there is a tendency, not just in Alberta, to be more lenient in allowing private members

to present their motions. An analogy is presented in *House of Commons Procedure and Practice*, second edition, at page 560.

An exception has been allowed, however, in the case of an opposition motion on a supply day related to the subject matter of a bill already before the House. Under the normal application of the rule, the Chair would refuse the motion because it ranks as inferior to a bill. The Speaker has nonetheless ruled that the opposition prerogative in the use of an allotted day is very broad and ought to be interfered with only on the clearest and most certain of procedural grounds.

On April 26, 2005, at page 1034 of *Alberta Hansard* for that day, the chair ruled a private member's motion out of order that dealt with the same subject as a private member's bill that had received third reading the previous day. In this case, Bill 23 has not received third reading.

As stated many times in this Assembly, the chair interprets the rules to give private members the greatest possible latitude in presenting their motions and bills. The process for private members' motions is such that the draw was held in June of 2010, the motion was submitted in early 2011, and it is coming before the Assembly now. The originating member had no idea that Bill 23 would be on the horizon when his name was drawn or when he submitted his motion. The chair has always supported giving private members the greatest leeway consistent with the rules and will do so again.

In this case, the chair notes that there may be certain points that are similar between the motion and Bill 23. This is not a time during which members get another opportunity to debate the principles of Bill 23, which have already been approved by this Assembly with second reading approval. Accordingly, if members choose to debate the provisions of the bill during debate on this motion, they will be reminded that this is not appropriate and should refrain from discussing the bill and address the motion. In other words, we're dealing now with Motion 508, not with Bill 23.

The hon. Member for Fort McMurray-Wood Buffalo.

5:00

Property Loss Compensation

508. Mr. Boutilier moved on behalf of Mr. Hinman:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to repeal the Alberta Land Stewardship Act and the Alberta Land Assembly Project Area Act and entrench property rights in the constitution of Alberta to ensure all forms of property loss are compensated fairly, with recourse to courts.

Mr. Boutilier: Yeah. Thank you very much, Mr. Speaker. I think your words are wise words.

As mentioned, I know the Member for Calgary-Glenmore certainly appreciates the opportunity for Motion 508. He's very disappointed that at this time he's not able to speak, but certainly later on he perhaps will.

This issue is very dear to my heart. It calls for the repeal of Bill 19 and Bill 36 as was mentioned a few moments ago. The core of the land-use framework, certainly, is believed to be somewhat disastrous. It is clear that citizens of Alberta view this as flawed and also unnecessary.

Now, I know the government has spent quite a bit of time in the last couple of years bringing things forward. I know that the government is trying to fix a variety of issues. I'm not expecting, you know, members of the House to wholeheartedly come and support this. But I want to say to members from all sides that just because we've spent a lot of time on a particular bill doesn't mean it ultimately has to be used. A wise man doesn't just work hard; he works smart. When I say man, of course, that implies man or

woman. We in today's society want to work smart. I don't see much of the former or the latter.

If you want to show Albertans that you're listening, I think it's so important that repealing specific initiatives of the government is, certainly, a good way to go, particularly Bill 19 and Bill 36. This Motion 508 obviously recognizes that it went too far. Thanks to Albertans as a whole and people like the learned Albertan Keith Wilson, certainly a very prolific legal mind, who have continued to pressure people when it comes to getting it right. The motion is really intended in the spirit of getting it right.

The changes that the government has made are just simply not enough. The only things that makes the changes to Bill 19 worth supporting – and this is a positive – are the places where you say that it is subject to the Expropriation Act. Well, that's exactly what we told you to do. The Expropriation Act has the protections for landowners, and that should be all you really need.

Sometimes in public office there's a tendency to overcomplicate things, and Motion 508 is really an example of: let's just keep it simple. We have an Expropriation Act in play that will satisfy and protect the needs of landowners, and nothing more should have to be done. So just go a step further in repealing the act and let the already existing Alberta act, the Expropriation Act, do its job. It's simple. It's not complicated based on what has taken place over the last few years. Maybe make some alterations for long-term projects if you need to do so.

The Land Assembly Project Area Act still has too much centralization to it. It's a common trend of the government. We've seen that when we lost the local health authorities that are now being run by an Alberta Health Services superboard, when in actual fact it's another example of centralization.

We believe in from the roots up. The Wildrose caucus believes in from the roots up. We believe Motion 508 is from the roots up, listening to Albertans and people like Keith Wilson, as opposed to from the sky down. The sky down is a more centralized approach, a centralized approach that is losing touch with the community as a whole.

I believe that if we go forward, it lets the ministry come up with all of these big plans for future projects, and hundreds of Alberta landowners have these big restrictions put on their land because 20 years down the road the bureaucrats or the public officials of that time in Edmonton might want to do a project in this area. I'm all for planning ahead. In fact, my mantra is: not only do we want to be down the road; we want to be around the corner. But when you go around the corner, you don't want to hit a brick wall or be in an alleyway, where there is nothing but a dumpster.

We believe that Motion 508 is an important motion in terms of gathering evidence and gathering data from Albertans. I would humbly say that government members may want to really carefully listen to what Albertans are saying relative to this regarding repealing existing legislation. I'm all for planning, but I think there has to be a better way to do it.

Now, I know that as we reviewed this situation out there – I've sat, of course, on the government side at a cabinet table. They had a hassle putting the land for the ring roads together, so they said: hey; let's just put through a law that makes this a lot easier for us. That is wrong. What it means is that you're not listening to the grassroots. Rather, you're taking the easier way, from a centralized approach, from the sky down. I believe that approach is wrong. The government had to pretend for years that it was a green space that they were protecting around Edmonton and Calgary so that they could use environmental laws to secure the transportation and utility corridors. Between that type of trickery and these overcentralized laws, Mr. Speaker, there has to be a better way, and that is the purpose of this motion.

The same can be said times 10 when it comes to the Land Stewardship Act. This bill gives radical powers to the cabinet to shape whole regions. It really dismisses local capital at the local level. As you all know, under the Municipal Government Act local authorities certainly have greater capital in understanding what goes on at the local level than some bureaucrat in Edmonton under their centralized domain.

I know as well as anyone that in the so-called lower Athabasca region, which starts at Lac La Biche and Cold Lake and comes through the north end of the Wood Buffalo region, that I'm very proud to have formed with my council when we formed the first regional council of Wood Buffalo 15 years ago on April 1 – the limited knowledge of centralized planners from within the bureaucracy of ministries and government. It is beyond belief how little they know. That is certainly something that is very troubling.

This flawed plan, I believe, will affect me and my wife and our four-year-old son in my own backyard, you know, where I play with my son.

Wise men say that a failure to plan is a plan to fail, but sometimes the worst plans have the best intentions and are done with purpose. I think that this originally was an oversight. They thought they were doing what was best for Albertans. Obviously, what has transpired if you look – history is such a good teacher – over the past couple of years is that it's been clear that this is flawed.

You can't possibly see the harm. At first, no one disagreed. Isn't it ironic how a powerful government, that doesn't listen from the roots up, was surrounded by what I refer to as yes-men? But one man did stand up against this government, this Goliath, as I refer to it. His name wasn't David; it was Keith Wilson. I applaud this Albertan for all that he has done. He's travelled this province tirelessly like a marathon runner, with his 16-year-old son. He doesn't belong to any political parties, and he is doing it for the right reason because he feels he is on the right side of right. You know, it is certainly a good feeling to be on the right side.

5:10

The Speaker: Thank you, hon. member.

Could the chair get some indication of how many members might wish to participate to try and work them all in? Okay. We'll go, then, to the hon. Member for Edmonton-Mill Woods, then the hon. Member for Calgary-Mountain View, then the hon. Member for Airdrie-Chestermere.

Mr. Benito: Thank you very much, Mr. Speaker. I am pleased to rise today to speak to Motion 508 brought forward by the hon. Member for Calgary-Glenmore. Like the rest of my colleagues I appreciate the hon. member's interest in land-use planning, and as always I feel privileged to join the debate on such an important issue. Today I would like to address, in particular, the part of this motion that would urge the government to repeal the Alberta Land Stewardship Act and the Land Assembly Project Area Act. I would like to share a point of view that I think reflects the perspective of the majority of people in our province.

Mr. Speaker, I cannot stress enough the importance of properly managing Alberta's precious resources. Our vast mineral, hydrocarbon, land, and water resources have been a boon to this province for well over a century, and it would be unfortunate if future generations of Albertans were not to enjoy the same benefits that we do. In this day and age governments around the world understand that effective land-use planning and land stewardship are critical to ensuring the sustainability of our resources, especially in fast-growth areas like Alberta.

Indeed, Alberta is undergoing tremendous demographic changes as our economic and industrial output grows. In fact, between 1996 and 2006 Alberta's population growth rate was more than 10 per cent, double the national average of 5 per cent. This is largely for the best. Growth has brought many advantages to the people of our province. One only needs to look at our very high standard of living, one of the highest in the world, in fact, to see how we all benefit from this economic and demographic expansion. Because of growth our largest cities are becoming more multicultural and international. Demographic and economic change also brings new ideas, technologies, and perspectives to Alberta. This is all great news for our province, especially in the context of the global economy.

But, Mr. Speaker, the fact is that while our population and industrial base continue to expand, our provincial boundaries do not. This is the challenge our government sought to resolve when we introduced our new and enhanced land-use planning framework, including the Alberta Land Stewardship Act and the Land Assembly Project Area Act. As time has gone on, we have been able to see how this legislation fits in with landowners' and government's objectives.

In response to this feedback small amendments have been made to fine-tune this important piece of legislation, helping to ensure our land-use framework will meet the needs of Albertans now and in the future. In passing Bill 10, the Alberta Land Stewardship Amendment Act, 2011, residents directly affected by the regional plans can request a review of that plan. The amendments also make it even more clear that property and other rights will continue to be respected and that the Alberta Land Stewardship Act does not limit any existing rights to compensation or appeal. Instead, the act gives our province a long-term plan to ensure that our precious natural resources are managed in a responsible way. If we repeal this legislation, we will effectively be passing on the burden of managing our resources to the next generation of Albertans.

Mr. Speaker, it is to be expected that implementing a modern land-use planning framework will require some changes in the way we approach land development. Our government and our residents recognize that need, and together we continue to move forward in improving our land stewardship, first with bills 19 and 36 and now with bills 10 and 23. In fact, it seems that it is only the hon. Member for Calgary-Glenmore and his hon. colleagues who do not recognize the need to protect and responsibly manage our landscape.

Mr. Speaker, finding the most effective way to manage our land use requires extensive consultation with stakeholders and Albertans. After all, this is an extremely important issue that affects every one of us. This government has already done a great deal in this regard, and under the leadership of our new Premier we are ramping up this consultation even more. In fact, just last month a brand new property rights task force was established, with the objective of talking with Albertans about property rights to find out what is important to them.

Finally and very importantly, maintaining straightforward and groundbreaking land-use legislation is for the benefit of all Albertans. For example, the Alberta Land Stewardship Act creates new conservation and stewardship tools to protect natural heritage sites and landscapes, and the Alberta Land Assembly Project Area Act helps us to plan for the long-term success of the province by enabling the government to buy land for large-scale, long-term transportation and water management projects like ring roads and reservoirs.

What this act also does is outline for Albertans the procedure they may follow to sell their lands to the province, helping them to

be aware of their rights to compensation and mediation. Ultimately, Mr. Speaker – and I hope the hon. Member for Calgary-Glenmore would recognize this – the end goal of the land-use planning framework is to maintain and improve Albertans' quality of life. It is also about upholding our values and projecting them to the world. Alberta is a beautiful, innovative, democratic, energetic, and environmentally sensitive province. Let's make sure we and the rest of the world continue to view us that way.

Mr. Speaker, after what I just said, I hope that the hon. member recognizes the necessity of modernizing our land-use planning framework. Failing to do so would inhibit growth in our province in the long term and would likely affect the quality of life of our children and grandchildren. This government is determined not to let that happen. I can say with confidence that we will not repeal this legislation, like the hon. Member for Calgary-Glenmore proposes. This would not be in the best interests of our province or our residents.

I would once again like to thank the hon. member for his work on this matter, but I will be voting against this motion, and I encourage all others in this Assembly to also vote against it, to reject the hon. member's backward vision for our province, and to join our new Premier in building Alberta tomorrow.

Thank you, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Mountain View, followed by the hon. Member for Airdrie-Chestermere and then the hon. Member for Edmonton-Calder.

Dr. Swann: Thank you very much, Mr. Speaker. A pleasure to rise to speak to the private member's motion, Motion 508, intent on repealing the Land Stewardship Act and the Land Assembly Project Area Act.

I must say that I do have some sympathy with the spirit of this motion, having watched as this government in the '80s, I think it was, destroyed the regional planning councils, councils that were designed specifically to help us deal with longer term planning issues – the rural-urban and the interface between rural and urban planning – a seriously regressive step that we're still paying a huge price for today in terms of conservation opportunities, water management, and, of course, better land-use planning in the province. We're now playing catch-up some 20 years later, and it's unfortunate that we have come to this.

5:20

I will say that the government has been attempting through public hearings over the past number of years to address some of these issues and running up against some serious conflicts, as one would expect, and it's the reason why we need a thoughtful and trusted government that's dealing with the long-term public interest, that's reflecting in its hearings, in its processes, and in its legislation a trust and an integrity that people will honour and participate in actively.

Unfortunately, as we saw in some of the hearings, there was suspicion, there was undermining, and there was even the planting of people in the hearings that, evidence shows, were trying to undermine the public input, undermine the due process, and subvert especially the issues around a utility corridor in the past couple of years. This was blown wide open and raised again some serious questions around the processes, the integrity, the ability of the government to build a sense of listening and trust within the community. It has therefore been accused, and rightly so, of subverting the public hearing process around the power line issue.

It forced it back into the public domain and forced it back now into the position where they're trying to change the legislation that they brought in and fix what perhaps was not so egregious before seeing the lack of direction and the lack of authentic public consultation but since then has thrown a lot of this into disrepute and serious distrust issues.

Along with that is, I guess, an awareness in Alberta of the growing sense of power and control in a government that's had 40 years to consolidate power, to build very close ties with vested interests, to maintain financial pathways to their party and to their decisions around commissions and agencies and all the different elected officials that sustain a government that's lost touch with the people, lost touch with what is an authentic consultation process, and truly undermined the trust of a lot of Albertans in some of these most central areas that government needs to have trust in.

If they're going to take land, if they're going to plan for the future, if they're going to benefit some and cost others, they need trust. They need the ability to say to people: "We are thinking about the long-term well-being of the province. We're thinking about the management of our water. We're thinking about both industrial and commercial and individual citizens' well-being into the future." We're seeing this erode over time because of some of the efforts in a number of ministries, not only Infrastructure but the cabinet itself, increasingly centralizing power and control and making decisions on the basis of what looks like a vested interest or, at least, not listening to the public input and in some cases subverting the public interest.

While I have a lot of support for governments making decisions for the long term, planning ahead, having a vision for how this property called Alberta is going to be managed, how we're going to ensure lasting, good decisions in terms of our public transportation, our waterways, our residential developments, our parks, our protected areas, and utility corridors, all of these, we have to as government be able to make those decisions in the long-term public interest and show in a transparent way what the bigger plan is. It's for that reason, in fact, that I and many in our caucus supported Bill 36, the Alberta Land Stewardship Act. It showed some planning, some vision, some willingness to look at the river systems as key to all development that occurs in the province and ensured that we brought to bear the regional interests, the public interest, the public input into those plans. I am one who supported that Bill 36 as progressive legislation and would prefer to not see that repealed.

I think I can support some of the concerns around the Land Assembly Project Area Act, Bill 19, and its rather draconian efforts to not only, as they call it, sterilize a property for years – limit the development on that property, limit the compensation for that individual for that planned expropriation – but also limit their ability to appeal and the due process of the courts in that.

In some ways we're seeing before us in the Legislature a willingness to deal with some of those shortcomings, but I guess that, from my perspective, the government has come to this place, come to this impasse because of a failure to do the right thing for Albertans in the process of establishing these acts. Now we're trying to deal piecemeal with various concerns around them.

This particular motion, while it touches a lot of heartfelt issues in Alberta and has a lot of support across especially rural Alberta, where many of the biggest impacts may be felt, I think it touches on the very heart of what government is there to do for people, and that is to build a sense of trust, to establish a process where people feel they can participate in a meaningful way, where there's a process of appeal and recourse to the courts where people

feel they have been wronged, and it gives people a sense of confidence that we have a bigger plan and that we're moving in that direction in the best interests of our long-term well-being.

While I have some reservations about this motion and, specifically, in relation to lumping the two acts together – I think there are some positive features of Bill 36 – I can certainly concur that Bill 19, the land assembly act, is fraught with problems, the most fundamental of which is the loss of trust that this government has experienced as a result of its ways and means of going forward in land-use development in this province; in particular, their lack of consideration for property rights and due process.

I will be interested in listening further to the debate, and I look forward to making my decision. Thank you, Mr. Speaker.

The Speaker: The hon. Member for Airdrie-Chestermere, followed by the hon. Member for Edmonton-Calder, then the hon. Member for Calgary-Fish Creek, and then Strathcona.

Mr. Anderson: Thank you, Mr. Speaker. It is my pleasure to rise and speak in favour of the Member for Calgary-Glenmore's motion. I know this issue, of course, is very important to him and to all Albertans, certainly, in rural Alberta. He has certainly been a passionate advocate of property rights and should be commended for that.

His motion reads:

Be it resolved that the Legislative Assembly urge the government to introduce legislation to repeal the Alberta Land Stewardship Act and the Alberta Land Assembly Project Area Act and entrench property rights in the constitution of Alberta to ensure all forms of property loss are compensated fairly, with recourse to courts.

This is a straightforward proposal. Clearly, it presupposes that we will be passing a constitution in Alberta, which is something that is certainly one of the policies of the Wildrose, in order to better enshrine the individual rights and property rights of Albertans in our great province. This, generally, is a straightforward proposal.

The government rushed through some pretty major pieces of legislation in 2009, not even giving their own MLAs much of a chance to review them and raise many questions at all, specifically with regard to Bill 36. The folks at the cabinet table thought they could get away with three quick bills that would centralize power, but they've realized now that they can't. What's changed? Well, by the end of 2009 the Wildrose had come onto the scene in a big way with our first MLA, Paul Hinman, and the election of our new leader, Danielle Smith.

5:30

An Hon. Member: Order.

Mr. Anderson: Oh, sorry. My bad. The Member for Calgary-Glenmore. You're absolutely correct.

One thing these two great Albertans have in common is a passion for property rights. From the end of 2009 until the end of 2010 the growing numbers of Wildrose MLAs and supporters did their best to ensure that every Albertan knew about the big power grab behind these bills. It worked, and the PC government has been backpedalling ever since.

This motion doesn't mention Bill 50, the power line bill, which I had a motion earlier in the year regarding, but I'll say a few words about how it is similar to others at the end of this if there's time. The motion does call for repeal of bills 36 and 19, also known as the Land Stewardship Act and the Land Assembly Project Area Act. These two pieces of legislation put a tremendous amount of power in the hands of cabinet and the provincial bureaucracy.

Bill 19 was about giving the ministry sweeping powers to write up cabinet orders and put restrictions on land the government might want to use in the future for a big project. Because they hadn't committed to it yet and weren't actually kicking you off your land, they didn't need to use the Expropriation Act, which has pretty good protections for landowners. Instead, they gave you a short window after the announcement to decide if you wanted to sell. If you didn't, you'd have to live indefinitely with whatever restrictions the government put on your land until they decided whether or not to expropriate your land. Good luck selling or remortgaging a piece of land that the government has said you can't develop or make improvements on.

Why would they do this? Well, they were finding it a real hassle to negotiate with landowners whenever they wanted to secure the land for a big project, so they wrote this law in such a way that government had lots of power and landowners didn't. Problem solved, for the government that is. But that's where the problem actually started. This bill was such a naked power grab and showed so little respect for landowners that a few activists like Keith Wilson along with a surging new party were able to easily explain how offensive this bill was to landowners. Boy, did it ever take root.

After two years of this government insisting over and over that there was nothing wrong with these bills, denying and deflecting and accusing people of fearmongering and so forth, this fall we're looking at Bill 23, which makes major amendments to Bill 19. While most of the amendments to this bill we feel are good, they don't fix everything, but of course, with deference to the Speaker, I'll move on from speaking too much about Bill 23 today.

The amendments that are good work because they put most of the compensation clauses under the Expropriation Act. We said from the beginning that the Expropriation Act is what these activities should take place under. If you need to make a few changes to the Expropriation Act for long-term proposed projects, well, then that's a discussion that we should have, but you don't need to override it with the land assembly act. We said that Bill 19 was unnecessary then, and after going through these amendments this fall, we are even more sure of it now.

This is not the first time this government has tried one of these quickie bills that centralize power and then had to backtrack after the good people of Alberta caught wind of what they were up to. In fact, this spring the only legislation of any note was Bill 10, which similarly had some pretty major amendments to the Alberta Land Stewardship Act, or Bill 36.

This one followed a similar pattern. The government came under attack when people realized what it meant. The government insisted over and over that it was just fearmongering by critics and that there was nothing to be concerned about, nothing at all, except that they realized that nobody, especially in rural Alberta, was believing them. They knew that Keith Wilson, the Wildrose, and other critics were right. Again, it was easy to persuade Albertans because the legislation was so one-sided in favour of the government over landowners that it was perfectly clear what the government was up to.

So they sheepishly brought forward Bill 10 this spring to try and answer these concerns. But unlike Bill 19, which they were able to approve by cutting big chunks of it under the Expropriation Act, this one was a lot harder to fix, and they are still a long, long way from fixing it. There is still a huge stick the cabinet wields over landowners and municipalities when it comes to regional planning, and there is still inadequate compensation for those affected by centralized decisions.

Nothing is more fundamental to economic growth than a respect for property. When the government can take your land rights away

on a whim or even with the noblest project in mind and not compensate you fully, it makes people very jittery, and so it should. People investing money like to know that there is stability in the place where they are investing. Economic trends are difficult enough to predict, but what gave Alberta an advantage over other jurisdictions was that people used to have faith that our government respected our property rights among other principles. This government lately has severely undermined this reputation. The attempts to amend these bills this year prove that this government only respects property if hundreds of thousands of Albertans catch them in the act of taking them away and get angry at them. Then they all of a sudden are the huge defenders of property rights.

The way this government can admit they were wrong, the only way for this new Premier to really break with the past, is to repeal these bills, every single one of them. They are not necessary. As with the Expropriation Act for land the government needs to take for big public projects in Bill 19, we had acts in place for Bill 36 that managed the balance between growth and environmental and sustainability concerns.

The Water Act, for example, combined with other acts related to the environment ministry have adequate provisions for protecting our watersheds. If they need improvement, then we can improve them. We don't need a whole separate act. It's been working for decades. In fact, this avenue for allocating water use is superior for a number of reasons. For one thing it combines the local knowledge of capacity and needs with the best scientific awareness of ecological needs in the environmental department. These combine to produce something reliable and consistent, namely water licensing. Bill 36 overrides all of that with the stroke of a pen of the central planners in the ministers' offices. Water licences are suddenly of uncertain worth under this bill because the SRD minister is now empowered to extinguish or – pardon me; there was a change to the wording – rescind those water licence rights.

We recognize that there is a need for some greater regional planning, but the premise of this bill was wrong from the start. We need to go back to the drawing board and develop a truly regional planning process, not a centralized provincial planning process. The process that the Wildrose advocates for would see regional representatives at the table consulting and actually making the decisions in co-operation with neighbouring regions. Consultation is not enough. The decisions need to be made at the regional table, not at the cabinet table.

Besides the fact that most things were functioning pretty well before these bills, there's another reason we know they aren't necessary; namely, that no other province has these two twin towers of central government planning. Other provinces have rivers and ecosystems, other provinces have big industry, other provinces have growth, but other provinces use a balanced approach to managing these things. Other provinces think that it's inappropriate to have this much power concentrated in one body, namely cabinet. Other provinces would have the humility to know that this would be a dangerous power grab that could get them thrown out of office.

Other provinces respect the fact that competing business and residential and environmental needs have to be worked out one by one and that it can't always be just easy to do. It's not easy because there are two groups with legitimate aims, the landowner trying to make the most of his land and the government trying to manage a bigger picture. That's why there needs to be a third party to settle the disputes when the two can't come to an agreement.

This government, though, always thinks that it knows best, so it doesn't like third parties with any kind of power or influence or authority over it. This government views the rights and claims of individuals and local governments as nuisances to be eliminated as far as possible.

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

Mr. Elniski: Thank you, Mr. Speaker. I'm pleased to rise today to speak to Motion 508, brought forward by the hon. Member for Calgary-Glenmore. Before I begin, I would like to thank the member for the work that he has put into this motion. Motion 508 urges the government of Alberta to repeal the Land Stewardship Act and the Land Assembly Project Area Act.

This is a very serious issue we are dealing with here today. While I am well aware of the concerns that some people have had towards our current structure of land-use planning, to repeal these pieces of legislation would be an irresponsible decision and one that I cannot support. Land-use planning is essential to the sustainable development of our province. It provides the opportunity to make sound decisions in regard to Alberta's future environmental, economic, and social needs. Mr. Speaker, land-use planning is a complex process and one that will undoubtedly run into obstacles along the way.

With that being said, it is the responsibility of our government to overcome these hurdles to deliver this much-needed framework. As we all know, the major issue of concern regarding land-use planning is property rights. Some Albertans believe that the Alberta Land Stewardship Act, or ALSA, as it is often referred to, enables the Alberta government to set the agenda for all land use in Alberta, including private land, taking away the rights of landowners.

5:40

Although some would have Albertans believe this, I can tell you that this is absolutely not the case. What ALSA actually does, Mr. Speaker, is defend property rights. However, some confusion remains about how the act functions and what it really brings to Albertans, and this is why the government created Bill 10, the Alberta Land Stewardship Amendment Act, 2011, which clarifies the intent of ALSA and shows Albertans that Bill 36 respects all existing compensation and property rights. Bill 10 provides Albertans with a clear and concise affirmation that their property rights are not in jeopardy.

Now, Mr. Speaker, will additional changes need to be made as we continue to improve our land-use planning process? Without question. Alberta and the world, for that matter, are constantly changing, and we need to adapt accordingly. This government will continue to consult, amend, and review the planning process in order to ensure that we get it done right. But to have the Member for Calgary-Glenmore say that we should abolish all legislation for land-use planning is not only short-sighted; it would also be irresponsible governance. By repealing these two pieces of legislation, the hon. member would remove some of the strongest property rights protection we have in place today.

[The Deputy Speaker in the chair]

Mr. Speaker, the Land Stewardship Act and the Land Assembly Project Area Act were established to protect Albertans, not only by clearly outlining their rights to review compensation and access to the courts but also by helping to ensure that the resources and natural beauty of their home province are managed in the best possible way. I am very curious as to how the Member for Calgary-Glenmore would handle this situation in 20 years, when

our population reaches 5 million and our land has been managed haphazardly from plot to plot, or in 40 years, when our population is expected to reach 6 million and we do not have the ability to meet all of our needs. I would like to hear him explain how this would be better for the people of Alberta.

Through this entire land-use planning process our government will continue to make adjustments for a stronger framework, but the fact of the matter is that this legislation is necessary to ensure a prosperous and sustainable future for Albertans. Our province is growing, and our land is facing increasing land pressures and conflicts, and without the strong leadership in land-use planning that our government has demonstrated, those conflicts could lead to much bigger problems. Mr. Speaker, as we heard last week in the debate on adverse possession, our province and all of western Canada has a history of excellent land stewardship and planning. Our land-use framework will continue this tradition well into the future. This legislation is taking us down the right track, and we will be better off because of it now and in the future.

Once again, I would like to thank the hon. member for his work on this issue; however, I will not be supporting the motion. Repealing these important pieces of legislation would not improve the property rights of Albertans and will have a significant negative long-term effect on our province's success. As such, I strongly encourage all others in this Assembly to vote against it.

Thank you, Mr. Speaker.

The Deputy Speaker: Hon. Member for Calgary-Fish Creek, you indicated you wish to speak on it.

Mrs. Forsyth: Thank you, Mr. Speaker. I appreciate the opportunity to speak to this motion put forward by my caucus colleague the Member for Calgary-Glenmore. I'm a strong supporter of private motions, and I've always seized the opportunity to put forward my ideas, whether I was in government or whether I wasn't in government. Private motions are important because they are on the leading edge. They are on the frontier of where our Legislature is going. In this case this motion is a reminder of what should have been done in the first place, repealing bad land-use legislation.

Mr. Speaker, as a mom of two boys and a fairly rambunctious staff I tell them that if they make a mistake, apologize, fix it, and don't do it again. Quite frankly, this is a lesson that this government hasn't learned. We've seen time and again the stubbornness of the government and its refusal to see the error of its ways. It's really easy: apologize and fix the mistake.

The original mistake here was the land-use legislation. It can't be stated clearly enough that bills 19 and 36 were a mistake from the start. Since they were passed, this government has spent their time backtracking and amending and applying Band-Aids to stop the bleeding that this has caused. This is a case of: keep it simple, stupid. The simple solution would have been to repeal the bad legislation and keep what was working reasonably well in place.

Bill 36 was amended in the spring. Its changes, while welcome, were just not good enough. There were tiny, teeny changes made, but it really was like putting lipstick on a pig. Yes, the pig looked better, Mr. Speaker, but it's still a pig. The original Bill 36 allowed the government to "extinguish" someone's property rights. Bill 10 switched out the word for "rescind."

To introduce another metaphor, this is like shuffling the chairs on the deck of a sinking ship. The land stewardship legislation is flawed to a serious degree. Recourse to the courts is still not a viable option for landowners. That is a fundamental right of Albertans. Cutting people off from public avenues is just what this government does.

Alberta's retiring FOIP commissioner released his final report last week. He cautioned the government on its obsession with secrecy. With bill after bill in the House FOIP exceptions are placed to put the government behind the public eye. It seems like this government is more comfortable in the shadows, avoiding the light of day.

Bill 36, the Alberta Land Stewardship Act, is in essence a trump card, a flawed trump card that is even scarier and more tragic than first imagined. In my opinion, the ultimate trump card is the people and their rights, not the prerogative of the cabinet to rule Alberta as it sees fit, without consultation and without consideration. With such dangerous powers held in the hands of so few, the only sensible, simple solution is to rescind this legislation, the only good use of the word in land-use parlance.

An amendment to Bill 19 is being debated currently in this House. I said it once, and I'll say it again. Bill 23 should be called "replacing the screwed-up Bill 19 act," but I have to give some credit where it is due. Bill 23 mostly moves in the right direction of allowing landowners access to the courts.

The government likes to save face, rather than admit wrongdoing, by saying that the newest legislation clarifies any misunderstandings about the land-use framework. There is no misunderstanding or lack of clarity on the part of landowners here. It was clear the whole time how wrong the land-use legislation was. The only people who misunderstood what was going on, quite frankly, were the government. They had no idea how upset people were and how wrong the laws were until Keith Wilson started warning Albertans. When Keith began getting through the propaganda and connecting with Albertans, that's when cabinet should have started to pay attention.

But did they? No. They're like one of my boys was when he was a child. They plugged their ears and started yelling more loudly. We saw this when landowners had information meetings explaining the situation. Cabinet ministers would come to the event and then start heckling when someone made a criticism. This behaviour, quite frankly, is unacceptable. I would expect more from a minister of the Crown.

I would like to quote what I said in the debate on Bill 23 in the House last week. "Quite frankly, the best thing this Assembly could do is to repeal the Land Assembly Project Area Act . . . This would be a very, very simple solution to what seems to be a very complex problem."

I still feel the same way. Every session this Legislature debates land-use legislation because this government continues to go about this in the wrong way. There is no way of fixing something that is fundamentally, at the core, wrong. Landowners are still going to be ripped off by this government as the laws of the land say: if something isn't broken, don't fix it.

The Expropriation Act was the law of the land and has worked well for Albertans for a very long time. As I mentioned earlier, this cabinet likes its decisions made when it closes its doors. The necessity for large projects with large price tags is not run through one of Alberta's independent commissions tasked with the public interest, but it is decided in secret by a small, select group of people.

Mr. Speaker, this is not grassroots like the Alberta I know but, quite frankly, elitism. Elitism to me is thinking that only a few people know what the right thing to do is and not listening otherwise. That's the way this government behaves, quite frankly, and why I am no longer part of it.

This behaviour, like the game of Whac-A-Mole, is popping up again with the Health Quality Council act. Key decisions will be made in secret, behind closed doors, with no accountability.

Albertans expect better from their government. They expect humility and accountability and, quite frankly, an open attitude.

5:50

As to the last part of the motion, the entrenchment of property rights in the constitution, we need the Alberta government to do better. The Alberta Bill of Rights has protection for property rights, the only such province in the country to do so. While there is protection in the Alberta Bill of Rights for property rights, it is just a bill; it's not a constitution with court protection.

Mr. Speaker, I hope this motion motivates this House to take property rights more seriously. I also hope that this government decides to be more open and accountable in a real, substantial way rather than pretending to be listening to Albertans.

The Deputy Speaker: Other hon. members wishing to speak on the motion? The hon. Member for Strathcona.

Mr. Quest: Sure. Thank you, Mr. Speaker. I'm pleased to rise today and share my thoughts on Motion 508, brought forward by the Member for Calgary-Glenmore. We all know this motion urges the government to repeal the Alberta Land Stewardship Act and the Alberta Land Assembly Project Area Act. As well, it would entrench property rights into the constitution of Alberta and make sure that all forms of property loss are compensated for.

Mr. Speaker, my colleagues and I are committed to the protection of Albertans' property rights. It's one of the reasons we passed these two important pieces of legislation in the first place. The other main reason is that we wanted to ensure the protection and preservation of our natural environment. Both are of equal importance, and I believe our main objective should not be to deny one or the other but to strike a careful balance between the two.

The Alberta Land Stewardship Act, ALSA, and the Land Assembly Project Area Act, LAPAA, have certainly moved our province in this direction. With both of these acts along with the recent and proposed amendments Albertans' rights to private property compensation and access to the courts are stronger than ever, so much so that to repeal them would be a step backwards.

Mr. Speaker, as I mentioned before, Motion 508 calls for property rights to be entrenched in the Alberta constitution to guarantee that all forms of property loss are compensated fairly. However, this issue is already covered under the two pieces of legislation that this motion wishes to repeal. For example, ALSA makes our province the first jurisdiction in Canada to compensate landowners whose property values are affected by conservation restrictions under regional plans. Section 19 of that act ensures Albertans have the right to appeal decisions by municipalities, provincial departments, and boards, further protecting their rights.

In addition, under LAPAA if a purchase price cannot be agreed upon, the landowner has the option to ask for an independent third party to determine the price. Repealing these acts would remove these and other protections, Mr. Speaker.

A concern some landowners have is that their property can be taken away from them without any compensation or consultation, but I can reassure you and the people of Alberta that this is certainly not the case. Their property won't be unjustly taken from them because under our current legislation this is simply not possible. Under the Land Assembly Project Area Act residents of Alberta are notified well in advance and consulted when their land is being considered as part of an area project. This law has been put into place to protect property owners from a long-drawn-out decision-making process. In effect, there are a number of protections that these laws afford Albertans.

Mr. Speaker, as a final point, I feel that Motion 508 is not only redundant as we already have strong property rights entrenched in our legislation, but this motion would also be counterproductive and even harmful as it leaves gaps in the recourse options available to Albertans when it comes to selling their land to our government. In addition, it would take away from our much-needed framework to ensure Alberta's land use is sustainable.

We can reassure Albertans that we are committed to our environment but not at their expense. It's necessary to work to create an appropriate balance. Along the way we surely will learn better ways about striking the right balance and will adapt our approach accordingly.

Mr. Speaker, our government is well aware that Albertans deserve to have safeguards in place to meet their needs. We believe in giving them the best possible protections for both their land and their right to live in a beautiful, healthy, and sustainable province.

I'd once again like to thank the Member for Calgary-Glenmore for his work on this matter, but I do not believe that repealing the Alberta Land Stewardship Act and the Alberta Land Assembly Project Area Act is the right thing to do. I strongly encourage all of my colleagues to vote against this motion, Mr. Speaker.

The Deputy Speaker: The 55 minutes for the motion is terminated, so I shall call the question.

[Motion Other than Government Motion 508 lost]

The Deputy Speaker: Hon. Deputy Government House Leader, before I call on you, I would like to ask unanimous consent to revert to a brief introduction of guests.

[Unanimous consent granted]

Introduction of Guests

(reversion)

The Deputy Speaker: The hon. Minister of Agriculture and Rural Development.

Mr. Berger: Thank you, Mr. Speaker. It gives me great pleasure to rise and introduce to you and to all members of the Assembly the one who makes it possible for me to be here in Edmonton, the one who looks after the land, the cattle, and our children while I'm not at home, my better half, my wife, Laurie. I'd ask the Assembly to please give her the warm welcome.

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

Mr. Denis: Thank you, Mr. Deputy Speaker. I rise actually to make a motion, now that it is three minutes to 6, that the House stand adjourned until 7:30.

[Motion carried; the Assembly adjourned at 5:57 p.m.]

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