



Province of Alberta

The 28th Legislature
First Session

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Issue 65a

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

First Session

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Stier, Pat, Livingstone-Macleod (W)
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Xiao, David H., Edmonton-McClung (PC)
Young, Steve, Edmonton-Riverview (PC),
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Party standings:

Progressive Conservative: 59

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 2

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Cao	Pastoor
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Luan	Strankman
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Standing Committee on the Alberta Heritage Savings Trust Fund

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Amery	Eggen
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Casey	Sherman
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Select Special Chief Electoral Officer Search Committee

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Blakeman	Leskiw
Eggen	McDonald
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Cusanelli	Notley
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Glans	Smith

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DeLong	Rowe
Fox	Strankman
Fritz	Swann

Standing Committee on Privileges and Elections, Standing Orders and Printing

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Bilous	Pastoor
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Hehr	Stier
Jeneroux	Webber

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Bikman	Khan
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Blakeman	Lemke
Calahasen	Sandhu
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Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 5, 2013

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon.

Let us pray. Dear Lord, be with us always to oversee our words and our actions and to keep us on the path of providence as we strive to fulfill our duties on behalf of those we serve. For this we pray. Amen.

Please be seated.

Introduction of Guests

The Speaker: Let us begin the day with introductions of school groups.

Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Speaker. I would like to introduce to you and through you the students of the Innisfail middle school. They are here today despite the treacherous roads to come and watch our Legislature at work. There are 90 students here today from Innisfail middle school along with their teachers: Jill Neilson, Tom Stones, Cody Pivert, and a teacher that actually taught me, Mr. John Pierzchalski. I hope you enjoy your time at the Legislature. I ask all of my hon. colleagues to welcome them today.

The Speaker: Are there other school groups? None?

Then let us proceed with our other guests, starting with the Minister of Aboriginal Relations.

Mr. Campbell: Well, thank you, Mr. Speaker. It's my pleasure to rise today and introduce to you and through you to all members of the Assembly a group of inspiring Métis women who have spent the morning at the Legislature working on the establishment of a Métis women's council on economic security. Some of these outstanding women were not able to stay today. To those that are here, please rise when I say your name so you can be recognized. Audrey Poitras, president of the Métis Nation of Alberta Association; Loretta Calliou, secretary, Métis Settlements General Council; Sherry Cunningham, treasurer of the Métis Settlements General Council; Dr. Marie Delorme with the Imagination Group of companies and recent recipient of the 2014 Indspire award in the category of business and commerce; Rachel Venne with the Institute for Advancement of Aboriginal Women; Michelle Dennis with Suncor Energy; Brenda Holder with Mahikan Trails; Hope Henderson with Mount Royal University; Sandra Sutter with the Circle for Aboriginal Relations; and Lisa Haggerty, Hinton Friendship Centre.

I'd also like to recognize some aboriginal staff that have been providing support on the establishment of the councils, including Linda Lindstrand, Kristina Midbo, and Fran Hyndman. I'd ask that the members please give them the customary warm welcome of this Assembly.

The Speaker: The hon. Minister of Health.

Mr. Horne: Thank you very much, Mr. Speaker. It's a pleasure for me today to introduce to you and through you to all members of the Assembly Donna Wilson and Margaret Ward-Jack, the president-elect and director of communications and government relations respectively for the College and Association of Registered

Nurses of Alberta. Donna and Margaret are here today to support the tabling of the college's annual report, which will occur today. On behalf of all Albertans I'd like to take this opportunity to say how proud and humbled we are to have such a dedicated nursing workforce here to assist all of us when we're in need. I'd ask Donna and Margaret to please rise and receive the traditional warm welcome.

The Speaker: The Deputy Premier.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. Through you to the entire Legislative Assembly I would like to introduce a group of very hard-working individuals from the Ministry of Enterprise and Advanced Education, today for their first time touring the Alberta Legislature. I will ask them to rise as I'm calling out their names if I may, please. They are Mrs. Krista Semchyshyn, Crystal Lough, Deidre Goral, Nicole Rioux, Maria Ahmad, Malik Khoja, Brianna Aukema, and Paul Uchacz. I would like to thank them for the work that they do day in, day out for Albertans. May they receive your warm welcome.

Thank you.

The Speaker: The hon. leader of the Alberta Liberal opposition.

Dr. Sherman: Thank you, Mr. Speaker. I'd like to introduce a number of concerned citizens: Summer Ebinger, Leonard and June O'Donnell, Fay Schutz, Barb Neill, Liz Hedegaard, Andy Mik, Mandy Kenworthy, Joe Koopmans, and Jetske Koning. They're here from the Anti-Aerodrome Cooperative, a group of concerned citizens opposed to the ongoing development of an airport in Sandhills, Parkland county. When Parkland county sued to prevent this airport, the court's response was that the issue was outside its jurisdiction. This lack of clear oversight means the airport is being developed without proper environmental assessments, community impact evaluation, and adherence to safety standards. I thank the Minister of International and Intergovernmental Relations for agreeing to meet these good citizens. I would ask them to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Transportation.

Mr. McIver: Thank you, Mr. Speaker. I'm pleased to rise today and introduce to you and through you to all Members of the Legislative Assembly two interns at Alberta Transportation who are taking a tour of the Legislature today as part of their orientation: Ms Caitlyn Pyra and Ms Kelly Foisy. They're here today with Alberta Transportation staff, Mr. Justin Coulombe and Mr. Michael Selig, who have kindly taken the time to educate them on the fun that can be found here in the House. I hope their experience of watching question period entertains and encourages them. I would invite them now to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The Associate Minister of Services for Persons with Disabilities.

Mr. Oberle: Thank you, Mr. Speaker. It is my pleasure and honour today to introduce to you and through you to all members of the Assembly members of the Premier's Council on the Status of Persons with Disabilities. This council works tirelessly to improve the lives of persons with disabilities by engaging the disability community and advising government on issues that affect people with disabilities in Alberta. We've just appointed seven new members of the council, and today we're introducing some amendments to the governing legislation. Council members

who were able to join us today are Ms Carmen Wyton, Ms Betty Lou Benson, and Mr. Bryce Clarke, and Bryce today is accompanied by Miriam Jardeleza, an assistant.

As well, we have ministry staff today: Tracy Wyrstiuik, assistant deputy minister, planning and quality assurance; Brenda Lee Doyle, assistant deputy minister of disability services; and Shawn Ewasiuk, who is a director of the Premier's Council on the Status of Persons with Disabilities. I hope the whole House would join me in giving them the warm traditional welcome.

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the Associate Minister of Wellness.

Ms Notley: Thank you very much, Mr. Speaker. Today I have the pleasure of introducing to you and through you to this Assembly our social work placement student helping out in my constituency office, Evelyn Mupedziswa. Evelyn is originally from Zimbabwe and is a first-year social work student at MacEwan University. She aspires to work with children when finished school, preferably in a neonatal unit. Evelyn is accompanied by Heather Fernhout, my constituency office manager, who has been capably managing all the issues in my office for just a little over a year. I know that Heather is very pleased to be here today with Evelyn and very pleased for her help in our office. I ask the Assembly to join me in giving them our traditional warm welcome.

The Speaker: The Associate Minister of Wellness, followed by Edmonton-Calder.

Mr. Rodney: Thank you, Mr. Speaker. It's a pleasure to introduce three representatives of the Alberta rodeo swap to stop initiative. Their team is a partnership between the Alberta and Northwest Territories Lung Association; McNeil Consumer Healthcare, a division of Johnson & Johnson; the Canadian Cancer Society; Action on Smoking and Health; and Miss Rodeo Canada. These groups have combined their forces at rodeos over the summer months to interact with over 7,000 Albertans and will be on hand this weekend at the CFR to raise awareness of the available resources to quit smoking and chewing tobacco. The initiative includes the distribution of quit programs freely available in the province of Alberta as well as offering up nicotine replacement therapy in exchange for cigarettes, chew, and loose tobacco. Joining us today are Kristin Matthews of the Alberta and Northwest Territories Lung Association; Angeline Webb of the Canadian Cancer Society; and Les Hagen with Action on Smoking and Health. They are seated in the public gallery, and I'd ask our guests to rise to receive the warm welcome of this Assembly.

The Speaker: The hon. Member for Edmonton-Calder, followed by the Minister of Environment and Sustainable Resource Development.

Mr. Eggen: Well, thanks, Mr. Speaker. I would like to introduce to you and through you to members of the Assembly, Jennifer Po, who is a social work student taking a placement in my constituency office. I'm very pleased to have her there, and I know that she will have a long career helping and assisting and advocating for vulnerable Albertans.

I also would like to introduce my constituency manager, Lyndsey Henderson, who is here this afternoon to watch the proceedings. I'd ask them both to rise and receive a very warm and extended greeting from the hon. members.

1:40

The Speaker: The hon. Minister of Environment and Sustainable Resource Development, followed by Calgary-Mountain View.

Mrs. McQueen: Well, thank you, Mr. Speaker. It's a pleasure for me to rise to introduce to you and through you to all members of the Assembly a great friend of this House and of this province. We have here joining us today from the AFPA Brady Whittaker. I want to recognize Brady for the outstanding work he does at AFPA advocating for the forestry industry. In addition to that, he's been doing work providing advice to the Asia Advisory Council. Brady, if you would please rise so we could give you the traditional warm welcome of the House.

The Speaker: The hon. Member for Calgary-Mountain View, followed by Edmonton-Beverly-Clareview.

Dr. Swann: Thanks very much, Mr. Speaker. It's a real pleasure for me to introduce to you and through you to the House three laboratory technologists: Cynthia Duchesneau, Sharon Hebert, and Joan Card. These front-line health workers are concerned that the attempt to privatize the laboratory services is going ahead without proper planning and without including all laboratory staff in the planning. I'd ask them to stand and receive the warm welcome of the Assembly.

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by Fort Saskatchewan-Vegreville.

Mr. Bilous: Thank you, Mr. Speaker. Today I have the pleasure of introducing to you and through you to the Assembly Alyssa Strohschein. Alyssa is a first-year social work student at MacEwan University and is doing her social work placement in my constituency office. She is passionate about making a difference in the lives of others, especially at-risk youth. She is a volunteer at the Mustard Seed's Personal Assistance Centre, and she is active in student life at MacEwan University, where she is the president of her World University Service of Canada committee. I am very pleased to have Alyssa doing her placement in my office, and I'd now like to ask her to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Member for Fort Saskatchewan-Vegreville.

Ms Fenske: Thank you, Mr. Speaker. It is my pleasure today to introduce to you and through you to the members of the Assembly three people from the constituency of Fort Saskatchewan-Vegreville: Lana, Carmelita, and Gabriella Santana, who are seated in the members' gallery. Lana has been instrumental in ensuring that our Culture Days in Fort Saskatchewan have grown from a potluck picnic to a very exciting event, and her daughters have followed along in their role as volunteers. They are standing right now in the members' gallery, and I ask that the Assembly join me in welcoming them.

Members' Statements

The Speaker: The hon. Member for Calgary-Bow, followed by Olds-Didsbury-Three Hills.

Pacific NorthWest Economic Region

Ms DeLong: Thank you very much, Mr. Speaker. I am honoured to lead Alberta's delegation at the Pacific NorthWest Economic Region, known as PNWER. This group brings together legislative,

government, and private-sector leaders from throughout Alberta, B.C., Saskatchewan, Yukon, and the Northwest Territories as well as the U.S. states of Oregon, Idaho, Montana, Alaska, and Washington. Our membership in PNWER and my position within it has given Alberta an opportunity to meet with key legislators and policy-makers on important regional issues. Topics of ongoing discussion include trade issues, energy regulation and management, transportation of goods and products, and economic growth in the Pacific Northwest.

PNWER is another example of how this government is seeking to build new opportunities, foster new relationships, and increase market access for Alberta goods. As an organization PNWER seeks to build stronger economic links, improve access, facilitate trade, and defuse potential regional problems through dialogue.

I'm pleased to tell you that Alberta will be playing host to our PNWER colleagues next week. We will host PNWER's annual Economic Leadership Forum and leadership academy in the breathtaking natural beauty of Banff. This forum will provide an opportunity for public- and private-sector leaders to carry out in-depth discussions on subjects affecting our regional economy. Our PNWER partners have been our allies, ensuring that there is a clear understanding of the responsible energy development under way in Alberta and the benefit of an energy sector in North America. I look forward to continuing Alberta's leadership role in this important organization.

Thank you very much, Mr. Speaker.

The Speaker: The hon. Member for Olds-Didsbury-Three Hills, followed by Grande Prairie-Smoky.

Rural Emergency Medical Services

Mr. Rowe: Thank you, Mr. Speaker. It is with great regret that I have to stand today and deliver this member's statement. This PC government has run roughshod over our rural ambulance system and is putting Albertans at risk.

In my riding of Olds-Didsbury-Three Hills we had a system that worked. Care was provided in a timely, effective way, lives were saved, and our community was better off for it. We always had an ambulance on call 24/7 and a backup just in case. In 2010, however, we were forced to hand over our Kneehill Ambulance Service to AHS on the promise that their new vision for centralized ambulance dispatch would offer better, faster coverage for our community.

Well, we were sold snake oil, Mr. Speaker. Like many communities across Alberta we now find ourselves vulnerable and grossly underserved. Ambulance wait times have skyrocketed, averaging as high as 45 minutes. This government just doesn't get it. In 2007 Kneehill offered medically equipped vehicles to do nonemergency transfers. It worked great. It saved time, money, and freed up EMS resources.

Again in 2010 the province bought our medical units in their plan to centralize emergency services. Under the flex dispatch system we often find ourselves without any ambulance service at all as a handful of units are flexed from region to region on nonemergency interfacility calls. This PC government's continued mismanagement of our health care system is again putting the lives of Albertans at risk. The flex dispatch system is a crime against rural Alberta, and this government has to nerve to say that it's what Albertans expect. They brag about building Alberta, but they sent the demolition crew out on this file. Rural Albertans see the glaring problems with ambulances today.

The Speaker: The hon. Member for Grande Prairie-Smoky, followed by Edmonton-Mill Woods.

Municipal Elections 2013

Mr. McDonald: Thank you, Mr. Speaker. I rise today to commend and praise all of the candidates that bravely put their names forward during the recent municipal elections, held across our province in October. In Grande Prairie alone there were 25 candidates who entered various races: two for mayor, 16 for eight council seats, and seven for five public school seats.

As all members in this House can attest, deciding to serve one's community through public office is something that takes unwavering dedication and commitment; however, it also instills one with a sense of great pride. For several months candidates prepared campaigns, put up countless signs, and knocked on thousands of doors with the hopes of getting their message across on key issues that affect their communities.

Of course, I would like to recognize all of the volunteers who donated their time as well in the effort to support their candidate, helping to engage and compel citizens to exercise their very important right to vote.

The recent municipal election also reminded me of the first time that I ran for public office. I, like the many other candidates who put their names forward, had a calling to serve the public with a vision to help better the lives in my community.

If I could humbly offer one piece of advice to those who have been newly elected, it would be to never forget that we are privileged to serve our communities and that the decisions we make will have profound effects on the lives of others.

Thank you.

1:50

Oral Question Period

The Speaker: The Leader of Her Majesty's Loyal Opposition for your first main set of questions.

Flood Mitigation

Ms Smith: Thank you, Mr. Speaker. My questions are to the Minister of Municipal Affairs. High River was one of the most impacted communities in this summer's floods. Everyone in High River knows that the flood maps that the province is using are 20 years out of date and do not reflect any mitigation that has occurred over the last two decades or any of the new mitigation that the province and the town will undertake. Does the minister realize that asking residents to make rushed, life-changing decisions based on outdated maps is unfair, uncaring, and just plain bad policy?

Mr. Griffiths: Well, Mr. Speaker, those maps that exist all across the province are not made willy-nilly or simply by somebody with a pen. They're made based on sound science, with people who have expertise in how these maps get made and the way the water flows. There are occurrences where riverbanks can wash away and some of those maps can be nuanced a bit, but there are no dramatic changes in many of the circumstances where there are communities. The floodway is the floodway, and the flood fringe is still the flood fringe. Mitigation and planning going forward are very important. We continue to work with the communities, all of them, not just High River, to make sure that they have sound planning to secure their future going forward.

Ms Smith: Mr. Speaker, just saying it doesn't make it so. It's a complete mismatch.

There's a community in High River called Beachwood. It sustained flood damage but was one of the first communities to be restored because it had good flood mitigation. The province has

declared that Beachwood is in the floodway, and they want it gone. The town and the residents want Beachwood to stay. The first act of the new town council was to vote for money to improve the flood mitigation around Beachwood. Will the minister order updated flood maps that take into account these mitigation steps so that Beachwood does not disappear off the map?

Mr. Griffiths: Mr. Speaker, we have talked about having updated flood maps, and we're working through a process with communities. But the map right now indicates very clearly that that particular community is in the floodway, and it may very well, after we continue to work on the flood maps, prove that the mitigation they did was what caused further flooding downtown. This is not an isolated event. We have to make sure that what we do does not compound a problem in another part of town or for another town downstream. That's why we continue to work with the communities to make sure that we get it right and to make sure that those communities will be prosperous over the long term.

Ms Smith: Mr. Speaker, that's exactly why they need new maps before they bring in the legislation

Another High River community called Hampton Hills has the opposite problem. The flood maps say that Hampton Hills is safe, but everyone knows that it was flooded for the longest period of time. To ensure that it doesn't flood, the simple solution is to build a berm to protect the community. The government so far has refused to commit to any mitigation plans to protect Hampton Hills. Meanwhile the developer is ready to rebuild the area, but he's being told that he cannot redevelop unless he can prove that the area will not flood again. Will the minister commit to taking steps on mitigation so that Hampton Hills can be rebuilt?

Mr. Griffiths: Mr. Speaker, it's amazing how the opposition finds the ability to suck and blow every single day. They want the municipalities to be respected and for us to not interfere. This municipality, her municipality, High River, has imposed a restriction on the developer to make sure that the community is safe. Now the member is suggesting that we should override that municipality's decision. We respect the municipality's decision. We'll continue to work with the community of High River and any others impacted by the flooding to make sure that they have long-term plans. As partners we're going to work to mitigate so that they can continue to grow in the future.

The Speaker: Hon. leader, your second main set of questions.

Ms Smith: Mr. Speaker, we need new flood maps and flood mitigation infrastructure first.

Information Requests on Deputy Premier

Ms Smith: The Deputy Premier seems to be having trouble with access to information requests lately. The freedom of information and privacy commissioner reported yesterday that the Deputy Premier bullied, threatened, and intimidated a journalist for having the nerve to file an access to information request on him. He ridiculed him publicly on Twitter and has even called the journalist's boss. This kind of behaviour is absolutely deplorable for someone in his position. To the Deputy Premier: what does he have to say for himself?

Mr. Lukaszuk: Well, Mr. Speaker, I'm actually glad that this hon. member asked this question because it is time that some of the facts surface. This is a situation where a reporter has FOIPed very personal information, particularly asked for correspondence

between myself and my wife, has obtained pictures of my children, and has on Twitter published the licence plate, description of the vehicle that my wife drives, and my home address. That was simply unacceptable, and that's where I and every member should draw the line.

Mr. Anderson: Point of order.

The Speaker: A point of order has been noted at 1:55.

Mr. Anderson: Control yourself.

Speaker's Ruling Decorum

The Speaker: Hon. members, we should all be reminded... [interjections] Hon. members. [interjections] Hon. members. [interjections] Hon. Member for Airdrie and hon. Deputy Premier, if you want to have a chat outside, that's up to you, but in here we have many other people on the list. We'll just let things cool down, and then we'll go on with them.

While I'm up, let me just remind you that the role of question period is to hold the government to account on government policies, government services, government orders, government business, and so on. That is the true nature and purpose of question period. Dare I have to remind you all again?

Now, hon. Leader of the Official Opposition, if you have a question to do with one of the aforementioned items, I encourage you to go ahead with it, and if not, we're going to go to your third main set of questions. First supplementary.

Information Requests on Deputy Premier (continued)

Ms Smith: Mr. Speaker, the Deputy Premier knows that that is private information that would never be disclosed.

This is what the Information and Privacy Commissioner said in her order. She said that the Deputy Premier's very public threats to this journalist were "disparaging" and "could have had a chilling effect" on others seeking information from the government. To the Premier: how does her Deputy Premier's unprofessional conduct help to raise the bar on transparency and accountability?

Mr. Lukaszuk: Mr. Speaker, in this country and in this province we have a long-standing tradition that any matters of policy are subject to scrutiny both by opposition and by media, but when personal information relevant to one's residence, relevant to description of vehicles, licence plates, and pictures of children come into play, that is simply unacceptable. Not as a politician but as a parent I have the role to defend my family, and I always will.

Ms Smith: Mr. Speaker, we all know that kind of information would be blacked out and not be released.

This is the same minister who refused to control huge spending increases in his own political office while he delivered blindsided cuts to postsecondary institutions, and it's the same minister who dinged taxpayers for an \$11,000 office makeover at the same time, complete with a \$4,600 table and a special request for walnut finishing. To the Deputy Premier: is the reason that he obstructs information requests and attacks applicants because they reveal just a little bit too much about his out-of-touch priorities?

Mr. Lukaszuk: Well, I wish, Mr. Speaker, that that member did some research. As a matter of fact, this reporter did release on Twitter my address, the description of my wife's vehicle, licence

plate, not the pictures of the children. That is what I found very, very inappropriate, and that would be the understatement of the year.

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

Minister of Municipal Affairs

Mr. Wilson: Thank you, Mr. Speaker. Today you are going to hear ideas; I want you to listen; I want you to talk about what we can do going forward; let's get to work: that's what the Minister of Municipal Affairs said in a prerecorded video to concerned Albertans attending last month's flood symposium. Getting to work on flood mitigation is important, but for this minister there are higher priorities like flying across the country to promote his book and take shots at our energy industry. To the Minister of Book Sales – I'm sorry – I mean, Municipal Affairs: why are book-signings a higher priority to you than the flood symposium?

Mr. Griffiths: Mr. Speaker, it's just symptomatic of this opposition and the drive-by smears. I wrote that book because I've been dedicated to building stronger communities for all four terms that I've been in office. Every single proceed from any speech and from the book go – my best friend passed away just about four years ago. His two sons are a little older than mine. Every single dime goes to that trust fund. I do everything I can to help make sure those boys have opportunities since their father passed away. Their accusations are abhorrent.

Mr. Wilson: Mr. Speaker, the trust fund is admirable; there's no question. But considering that the flood symposium was promoted as experts, community representatives, and Albertans coming together to generate and discuss ideas around flood mitigation, how did this minister find his book tour more important than listening to what those experts had to say?

Mr. Griffiths: Fortunately, Mr. Speaker, it was recorded, so I could watch what was said at that symposium. It was simply a matter of fact that four months ago I had made the commitment to go and speak. There were hundreds of people coming, and I was the keynote speaker. It was a matter of three weeks by the time we got ready and organized for the symposium, and it was simply a matter of a clash of schedules. But I've watched everything online and got all the value out of it and continue to discuss and meet with communities about what we're going to do with mitigation going forward.

2:00

Mr. Wilson: Mr. Speaker, seeing as Alberta's own ethics legislation states that members are expected to arrange their private affairs in a way that promotes public trust and confidence, can the minister tell this House how he thinks he can command the trust of Albertans when he decides to go on a vanity tour across the country instead of being right here on Alberta soil, leading the recovery of the largest disaster in Canadian history? You are the minister responsible. Where are your priorities?

Speaker's Ruling Decorum

The Speaker: Hon. members, you know, asking questions and holding the government to account is a fundamental of the democratic system that makes it all work for all of us, and when you're crossing over a little bit more into what you can perhaps

view as attacks on a person's character or on the character of another colleague . . . [interjections]

Hon. members, I have the floor. If you wish to speak out of turn, I will ask you to leave. It's as simple as that. I didn't interrupt you, and I don't expect you to interrupt me. Is that clear? Thank you.

So, please, let us review the questions that we might have on the rest of the order for today and ensure that we're at a level that befits the decorum and civility of this House. I ask that of you in honour of the fine tradition for which this House and all of its proceedings and all of its instruments stand. Surely, we can aspire to something higher.

Let us have an answer if you wish, hon. minister.

Minister of Municipal Affairs (continued)

Mr. Griffiths: Thank you, Mr. Speaker. It was not a vanity tour. I have worked to help communities, anybody that will ask, and I do think that it's not just Alberta that's in for building stronger communities; it's the entire country. I had made the commitment to go, so I followed through on that commitment. I've never met a single, solitary person now except that member who questioned my commitment to helping us get through the largest disaster this province has ever seen. In fact, he could ask my wife and kids, who barely saw me for months because I was in every single community working day and night on that. I'm committed to making sure we get through this.

The Speaker: The hon. Member for Edmonton-Meadowlark, the leader of the Liberal opposition.

Health Care Wait Times

Dr. Sherman: Thank you, Mr. Speaker. On a positive note I'd like to begin by congratulating the Minister of Health on setting a new record. The AHS first quarterly performance report, essentially a wait times report, is now 65 days late. The previous record was 63 days, when another AHS wait times report was delayed until after the 2012 provincial election. To the Minister of Health: congratulations on your accomplishment. Now could you please tell us how much longer we must wait for the wait times report?

Mr. Horne: Well, Mr. Speaker, I think what the hon. member is referring to is the quarterly performance report that AHS provides. As I've said in answers to previous questions, we are in the process of reviewing the performance indicators for our health care system. The official administrator is working on that with senior staff now within the organization. We'll continue, as we do on a regular basis, to make information available about the very good performance of this health care system to all Albertans.

Dr. Sherman: Mr. Speaker, the deadline for this report was September 1.

As I mentioned, the last time we waited this long for an AHS wait times report was before the last election, and that report was pretty bad. No wonder they didn't want more voters to see it. Now, lo and behold, the Premier's leadership review is coming up, and the wait time report is nowhere to be seen. It must be pretty embarrassing. To the Minister of Health: did the Premier ask you to delay this report until after the leadership review, or did you do it simply on your own initiative?

Mr. Horne: Well, Mr. Speaker, I suppose it's refreshing to know that the hon. member can count, and it's perhaps not surprising to note that his fascination with conspiracy theories appears to know

no bounds. We've said very clearly and we did so again in the organization of the senior management of AHS that we were looking very carefully at performance indicators in our system. We want to make sure that it is not late, that it is something that is provided routinely, and that when the statistics are ready, they will be provided. But I want the hon. member to know that our commitment is to reviewing the indicators to make sure that they're relevant to Albertans, to make sure that they report accurately on performance, and, most importantly, to make sure that the performance of this health system cannot be distorted by the opposition.

Dr. Sherman: Mr. Speaker, Dr. Eagle used to have that report within seven to 14 days. No conspiracies here, just incompetence.

The reason we need the darn report is because we're heading into flu season here. We need to know where to make adjustments in the system, and that's why these reports are important. The managers and medical professionals need timely access to this information. You would know this, Mr. Speaker, because you got these reports out on time when you were minister. They need to plan to get Albertans the timely access to care they desperately need. To the minister once again: will you please just release the quarterly reports on a quarterly basis on time?

The Speaker: The hon. minister.

Mr. Horne: Well, thank you very much, Mr. Speaker. If the hon. member is interested in performance statistics on the health care system, I'd be happy to indulge him on this day or any day in this House. The volumes for hip and knee surgeries during the past three years saw more than 1,800 additional surgeries performed. Hip surgery wait times – and these figures are readily available on the AHS website – went from 39 weeks to 36 weeks, a decrease of 9 per cent. Knee surgery wait times have decreased by 15 per cent. We can turn . . . [interjections]

Speaker's Ruling Interrupting a Member

The Speaker: Hon. members, I'm going to ask the hon. minister to start right from the beginning. The interjections are uncalled for. I've warned you about this before, and I just don't appreciate them. I wonder what people who are in the rest of the Assembly here think about them as well. You know they don't get picked up on television, they don't get picked up on radio, but they do interrupt the ebb and flow of the House.

Now, hon. minister, you have 10 seconds left to finish your answer.

Health Care Wait Times (continued)

Mr. Horne: Well, Mr. Speaker, thank you for the opportunity. What I'll say and continue to say to hon. members of this House is that our health system is working hard to improve performance. We lead in several areas in health care across Canada. We are also coping with the fastest growing population in the country. We'll continue to bring that good news to Albertans.

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

Pipeline Framework Agreement with British Columbia

Mr. Mason: Thanks very much, Mr. Speaker. Well, apparently the Premier and her B.C. counterpart have reached an agreement on petroleum pipelines from Alberta to the Pacific. [interjections] Okay. Bully for them. We know this PC government supports the proposed Northern Gateway pipeline, that would export unprocessed bitumen and the jobs that go with them to China. Alberta needs pipelines, but this government plans to use them to export our jobs. To the Premier: will your government commit to prevent unprocessed bitumen from being exported on any new pipelines that are built under this agreement and if not, why not?

Mr. Lukaszuk: Well, Mr. Speaker, there is an opposition that would blow out a candle just to prove that it's dark. Today is a phenomenal day for Canada, where we have two Premiers agreeing on economic development, agreeing on principles of their individual provinces, agreeing that what is good for B.C. is good for Alberta and is good for the rest of Canada, agreeing that we can create jobs and get fair market prices for our goods, agreeing that we can build terminals in British Columbia and create jobs, agreeing that we can support the rest of Canada based on our natural resources in the west. How is this bad news?

The Speaker: The hon. leader.

Mr. Mason: Thank you very much, Mr. Speaker. Well, exporting jobs is not good news, Mr. Deputy Premier.

The agreement allows British Columbia to negotiate with industry on appropriate economic benefits and confirms that Alberta's royalties are not on the table, but our royalty framework allows oil companies to deduct transportation costs from royalties. Royalties are calculated based on net revenue. B.C.'s share will come out of Alberta's royalties. To the Premier: will she guarantee that costs incurred as a result of B.C.'s share will not be deducted from Alberta's royalties, and how will she do it?

Mr. Dallas: Mr. Speaker, this is indeed a landmark day for the provinces of Alberta and British Columbia. The framework agreement that's been achieved today, the essence of which is British Columbia joining the Canadian energy strategy, really underlines our Premier's vision for a province that reaches outward as a global energy leader, creating new enterprise, new jobs, new economic activity, and a new future for Albertans.

2:10

Mr. Mason: Blah, blah, blah, Mr. Speaker. The question was, "How do you keep B.C. from getting Alberta's royalties?" and he had no answer whatsoever.

We support properly inspected and secure pipelines to get our products to market, but pipelines create very few long-term jobs. The Northern Gateway will only create 217. Upgrading the bitumen here would create thousands of good-paying, permanent jobs. Why does this government support pipelines that shift investment and jobs to the United States and China?

Mr. Dallas: Mr. Speaker, here's what Albertans supported in the last election. Here's what Albertans realize today. The vision that it takes to recognize the opportunities of receiving access to full market value for our products, defending Alberta's privileges and rights in terms of our ability to develop our energy, keeping our royalty and taxes here: all of these things have been achieved today.

The Speaker: That completes the first five spots, where preambles have been extended. Now let's start with Calgary-Fish Creek. No preambles to supplementaries, please.

Government Accountability

Mrs. Forsyth: Thank you, Mr. Speaker. Another Auditor General's report and more news about how this government is failing Albertans. Yesterday the Auditor General said that he can't make recommendations on how to improve accountability as a whole because he doesn't know who to follow up with. He even said that there is an accountability vacuum. This is a shocking statement considering this government keeps telling Albertans that they are raising the bar on accountability. To the Minister of Accountability, Transparency and Transformation: if the Auditor General doesn't know who to report to, then what is this minister going to do to fix it?

Mr. Horner: We're very proud of our commitment to the improved accountability and transparency across this government. In fact, the audit committee, which I co-chair with individuals from the private sector, is directly in touch with the Auditor General. I want to actually quote something from the Auditor General's report for you, Mr. Speaker, and that is on page 6. The Auditor General states:

The fact that none of our auditor's reports on financial statements contained a reservation of opinion means that Albertans can be sure they are receiving high quality information from the government on the province's actual financial performance.

The Auditor General is quite clear that Albertans are getting the right information.

Mrs. Forsyth: Well, Mr. Speaker, that's just one part. Let's ask the Minister of – what's his name again? – Accountability, Transparency and Transformation to see if he can get this question without embarrassing himself. Given the Auditor General's scathing review of the government's lack of accountability does the minister just not want to be accountable to Albertans for what's really going on?

Mr. Scott: Mr. Speaker, I'm very proud of this government's record on accountability. Under our Premier's leadership we are delivering unprecedented accountability and transparency. Let me give a quote that Michael Smyth, a columnist from the province of British Columbia, said about our record. "The warts-and-all Alberta disclosure system has been operating for a few months now and has been hailed by freedom-of-information advocates as Canada's new gold standard for openness." [interjections]

The Speaker: Hon. members, the Grey Cup is about three weeks away. Let's save our cheers for them. They really don't belong here in the House, neither from the opposition members nor from the government side. Outbursts like that just aren't needed, not at all.

Supplementary, please.

Mrs. Forsyth: Well, Mr. Speaker, I just love when this minister gets up. Foot, mouth, foot, mouth. It's amazing.

To the Health minister: if you can't assure Albertans about the basics of sterilization of medical devices, food safety, and people simply washing their hands, how do you expect Albertans to be confident in how you're running the health care system?

Mr. Horne: Well, Mr. Speaker, the Auditor General was careful in his remarks yesterday to indicate that his findings do not in any way bring into question patient safety and quality of care in our

health care system. What he did say – and I agree with him – was that a 66 per cent compliance rate for our hand hygiene policy across the province is unacceptable. We saw some improvement over the last year, about 20 per cent, but there is certainly a long way to go, and I welcome the Auditor General's recommendations about how to increase compliance and accountability on that point.

The Speaker: The hon. Member for Calgary-Hawkwood, followed by Little Bow.

Postsecondary Education Funding

Mr. Luan: Thank you, Mr. Speaker, for the opportunity to ask a few hard questions that are policy related. This has been a challenging year for postsecondary education in Alberta. Revenue predictions have been reviewed, and postsecondary institutions have had to look inward to re-evaluate their goals and priorities as operating funds have been reduced. My question is to the Minister of Enterprise and Advanced Education. How can you explain that today Mount Royal University announced that they are using \$85.8 million of government funding to build a brand new library? Where's the money coming from?

The Speaker: The hon. Deputy Premier.

Mr. Lukaszuk: Thank you, Mr. Speaker. Well, no doubt, this budget was a difficult budget for all postsecondary institutions. I have been very clear that this was a budget of necessity and that it wasn't such for any other reason. In the meantime, as this province is growing by a hundred thousand people every year and we know that our health care system and agriculture and environment and energy economies will develop on knowledge, we have to continue building Alberta, and that means providing our students with spaces that are second to none.

Mr. Luan: To the same minister. In August you and the Premier announced \$200 million for the NAIT centre for applied technologies, in October another \$142 million for the University of Calgary for their engineering school, and now \$85.8 million for Mount Royal. How is this possible under the current budget that we have to live within our means?

Mr. Lukaszuk: Well, I have a phenomenal Finance minister, number one, hon. member. That certainly helps the situation. Also, Mr. Speaker, Albertans understand the difference between an operating budget, which means an every year commitment for the cost of operating schools and salaries and all that, but they also understand that in the meantime you have to build buildings, and those are one-time expenditures. Our Finance minister makes sure that we have these two budgets taken care of, and even though we had a tighter year, shall we say, from a financial perspective, on the operating side we are not losing our focus on infrastructure because we will need this in the future.

The Speaker: The hon. member.

Mr. Luan: Thank you. So that was one time. Let's see where this one is coming from. This last spring Mount Royal University announced that it had to suspend programs because of budget cuts. Shouldn't we prioritize classroom space, Mr. Speaker?

The Speaker: Hon. member, let's cut the preambles down and just go straight to the questions if we could from here on in. We're about 14 minutes behind where we should be at this point. Your last question, then, please.

Mr. Luan: My question is: shouldn't we prioritize classroom space over all those infrastructure projects?

Mr. Lukaszuk: Well, yes, Mr. Speaker. Easy for you to say. Those are very difficult decisions that schools had to make at the school level. Indeed, they have eliminated some programs. They have done what they could to minimize the impact on students. They have targeted courses that have historically low enrolment. We will do what we can as government to reinvest in advanced education because we know that that is a priority for Albertans, but in the meantime we have to provide Alberta's universities, colleges, and technical schools with the necessary learning space, and libraries would be at the top of that list.

The Speaker: The hon. Member for Little Bow, followed by Calgary-Mackay-Nose Hill.

Disaster Recovery for Small Business

Mr. Donovan: Thank you, Mr. Speaker. Two weeks ago this government pledged \$81 million to fix the parks in southern Alberta due to the flood damage. One of these parks was Wyndham provincial park, near Carseland in my riding. Steve and Karyn Farthing own what was the Parkside store and are feeling that the government has left them out in the fact that they do not get 20 per cent of their income off the store; therefore, they're ineligible for DRP funding. To the Associate Minister of Regional Recovery and Reconstruction for Southeast Alberta: would he please explain why this government is investing \$81 million into parks but ignoring the amenities and the businesses that make these parks popular?

The Speaker: The hon. associate minister.

Mr. Weadick: Well, thank you, Mr. Speaker. I appreciate the Member for Little Bow bringing this question. I also appreciate the hard work that he's done over the past three months during this very difficult time, working with my office to support flood victims in his constituency. The DRP program for small businesses is very specific, but I can give this member some good news as well. I understand that today the DRP office was in discussions with the owners of the Parkside store, and under the program there's an opportunity for reassessment, which will be happening for them.

2:20

The Speaker: The hon. member.

Mr. Donovan: Well, thank you, Mr. Speaker. I feel like somebody is trying to date me. I'm happily married, Minister.

To the Minister of Tourism, Parks and Recreation: given that Steve and Karyn both work full-time, would you also be in support of helping them rebuild their store?

Dr. Starke: Well, Mr. Speaker, two weeks ago, as the hon. member points out, I was very proud to announce that this government will be investing \$81 million in the reconstruction of the parks that are part of our provincial system, that are one of the great, cherished parts of our overall provincial way of life. That \$81 million will be invested in places like Fish Creek provincial park and Kananaskis Country and, indeed, in Wyndham-Carseland provincial park. These spaces are very special to Albertans, they're important to Albertans, and I'm very proud as parks minister to have been able to make that announcement.

Mr. Donovan: Thank you, Mr. Minister.

I'll go back to my friend from Lethbridge. Would you like me to help establish a meeting between the two ministers and the Farthings so that we can make sure they get their DRP money they are deserving of?

The Speaker: The hon. associate minister.

Mr. Weadick: Well, thank you, Mr. Speaker. Again, the federal DRP program has very specific guidelines, and we operate within those guidelines. But we've also created other programs for small business because this government is committed to building small business, rebuilding small business in this province, especially after the flood. We've put together programs that support interest payments that small businesses might have during this difficult time and loan support, working with banks so that small businesses can re-establish themselves. We're going to work both through the DRP process and through other programs that this Premier has put in place to help small business through this difficult time.

The Speaker: The hon. Member for Calgary-Mackay-Nose Hill, followed by Calgary-Mountain View.

Leaseholder Compensation for Calgary Land Acquisition

Dr. Brown: Thank you, Mr. Speaker. People in my constituency and all Calgarians are pleased to hear news of the tentative deal to acquire land from the Tsuu T'ina Nation to build the southwest portion of the ring road. I understand that provincial lands will be transferred to the Tsuu T'ina Nation as part of that compensation. My questions are for the Minister of Environment and Sustainable Resource Development. What provisions are being made to terminate the Crown leases on the lands that are to be transferred to the Tsuu T'ina?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker, and I thank the hon. member for the question. This certainly is a very important project for Albertans and certainly Calgarians, one we've been working very hard on. We commend the Minister of Transportation and all those who have been involved with this. We know that there will be some impacts for leaseholders, but we are committed to ensuring that fair compensation to those landowners will happen. Current leaseholders will be compensated for their respective leases, and the compensation will be fair.

Dr. Brown: What sort of monetary compensation will be paid to the lessees, and will that compensation be calculated based on their actual losses up to the end of the current 10-year lease period?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. Again, we want to make sure that the compensation is fair to those land users that will be affected. The assessments are currently being updated to determine the value of the leases, and negotiations will begin with each of the leaseholders.

Dr. Brown: Will those calculations be based upon the number of years up to the termination of the current lease?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you again, Mr. Speaker. The compensation will be, as it always is, directly negotiated with each of the individual leaseholders, and we are committed, again, to making sure that

the compensation is fair and the process is fair in this case and in all cases as we move forward with regard to any of these kinds of negotiations.

The Speaker: The hon. Member for Calgary-Mountain View, followed by Edmonton-Strathcona.

Hospital-based Services

Dr. Swann: Thank you, Mr. Speaker. The Auditor General has once again identified a lack of basic oversight and accountability in the health care system, in this case related to infection prevention programs. Alberta Health Services' own data show no improvement in hospital-acquired infection rates in the last three years. To the minister: when will you meet your commitment to reduce the number of people who get sick from infections when they come into hospitals?

Mr. Horne: Well, Mr. Speaker, as a physician I'm sure the hon. member would agree with me that we, in fact, have some of the lowest rates of infection for specific organisms in our province's hospitals. What the Auditor General said is that we have an opportunity with a provincial delivery system to improve our surveillance and improve our compliance rates with standards that we ourselves set, very aggressive standards that also meet the requirements of national accreditation bodies. I couldn't agree more that in areas like hand hygiene we need to drastically improve performance, and we look to the leadership of physicians and other health professionals to help us do that.

Dr. Swann: Given that we have significant hospital overcrowding, including emergency rooms, increasing the risk of life-threatening infections for already sick people, will you admit your failure to achieve your own goal of 85 per cent occupancy in our major institutions?

Mr. Horne: Mr. Speaker, we have one of the highest rates of acute-care beds per capita in the country. We also live in a province that is growing by the size of the city of Red Deer every year. I think that Alberta Health Services staff do an amazing job of coping with the challenges of a growing province, a growing population, and a growing health care system. It's very clear from the Auditor General's report that we need to do a better job in terms of monitoring and reporting, on meeting the standards that we ourselves set, but meet those standards we will.

Dr. Swann: Well, the minister likes to comment on the number of acute-care beds; the problem is that they're not staffed, Mr. Minister. Given that hospitals are almost all over one hundred per cent capacity, with people in corridors and crammed into wards, what plans do you have to deal with the surge of patients during the upcoming flu epidemic?

Mr. Horne: Well, Mr. Speaker, again, I certainly hope that as a physician the hon. member is encouraging his constituents and all Albertans to get the flu shot this year. As the hon. member knows, we have a less than acceptable rate of immunization in this province. As the hon. member also knows, we have very busy hospitals across the province. They are very well staffed. They are staffed by people who are caring and well-trained individuals committed to the care of their patients. I'd suggest to the hon. member that he might want to stand up once in a while in support of those workers and commend their work to the rest of the province.

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

Athabasca River Containment Pond Spill

Ms Notley: Thank you, Mr. Speaker. As a 60-kilometre-long glob of toxic coal waste floats down the Athabasca, towns are turning off their water intake. Meanwhile the Mackenzie basin waits, with no similar ability to divert the arrival of this massive toxic threat. Yet this PC government still insists on keeping this disaster on the down low with limited public statements and still less up-to-date information. To the minister of environment: why won't you take responsibility, stop trying to hide the issue, and start providing all Albertans with a regular and daily briefing?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. I thank the hon. member for the question so that I can once again reiterate to the House that this ministry was notified of the incident when it happened, about 8 p.m. on October 31. Downstream communities were notified within hours, early on November 1, hon. member, not five days later as inaccurately stated now and before. Each day we have updated that, both ourselves as ESRD and also as the Alberta Energy Regulator. We have made sure that not only have we put notifications out but that we have talked to each one of the communities because number one for us is public health and safety.

Ms Notley: I'm talking about all Albertans.

Now, given that this PC government keeps information about how often dam inspections occur secret, information about how the inspections turn out secret, and information about company emergency response and cleanup secret, why won't the minister come clean on the Obed spill and tell Albertans when this dam was last inspected, what the results of the inspection were, and what the government is going to do to minimize the massive environmental damage that this breach will and has already caused?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. Well, we have made sure that all of the testing was happening right away, within the first day of the incident happening. On November 1 we made sure that the samples were taken right away and continue to be taken, with the company as well taking samples. Our job one was to make sure that no communities were withdrawing water until we had samples and health safety done. That has been confirmed.

We took the mayor of Woodlands county and the mayor of Whitecourt – and I'd like to say, Mr. Speaker, a quote from the mayor of Whitecourt: the province and Sherritt Coal have both been very evident in getting all of the departments on board, ensuring that any community downstream were notified; it hasn't had an impact on our community.

The Speaker: Thank you.

Ms Notley: Well, interestingly, not one of those tests has been released publicly yet.

Now, given that adherence to the Canadian dam safety standards are not mandated in Alberta, as they are in many other provinces, and given that the Obed breach is possibly the largest single tailings containment breach in the history of this country, will the minister commit today to reviewing dam safety across the

province, releasing the results publicly, and specifically legislating standards in order to protect all Albertans from the cost of its inaction up to now?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. As soon as the health results were made available, we released those on Monday to make sure that they were released to the public. Our job is to make sure that the health and safety of Albertans is first and foremost. There were no health issues with regard to Albertans, no health issues so far to date that we know of with regard to fish and wildlife. We have made this public. Maybe the hon. member should actually look at the public documents.

2:30 Energy Technology Expenditures

Mr. Anderson: Mr. Speaker, the Wildrose strategy for a greener Alberta involves empowering individuals to take personal responsibility for reducing their own environmental footprint. This government's light up Alberta program gave energy retailers an opportunity to pay homeowners, municipalities, and small businesses 15 cents a kilowatt hour to put power back on the grid. Great idea. This provided incentive for folks to install solar panels and windmills in their homes and businesses. To the minister: if you're trying to improve Alberta's reputation with world leaders, why would you axe a program like this?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. We've got many great programs that are happening in Alberta, and that was one of many programs that we're looking at. As well, we're looking at: how do we reduce the amount of GHGs that we have in the province? How do we make sure, through the Climate Change and Emissions Management Corp., that we get the best bang for our buck? We have many projects that are out there. That is one of many, but there are many more. With regard to our carbon capture and storage, that will actually achieve 70 per cent of our reductions. We are making sure that we're doing the small things, but we are focused on the big things that will reduce our emissions.

Mr. Anderson: That program no longer exists, Minister.

Mr. Speaker, given that this government has chosen to grant Shell Canada over \$800 million to pump their industrial emissions underground and given that most folks believe that a successful company like Shell should probably pay to clean up after itself and given that the light up Alberta program costs a mere 1 per cent of what this government spends on carbon capture subsidies, wouldn't it make more fiscal sense to keep the light up Alberta program and dump your \$2 billion CCS boondoggle?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. I'm very happy to answer this question. Perhaps this member might want to talk to others around the world about the importance of CCS to the global economy. We look at Europe and what they're trying to do with regard to CCS. We look at the United States, the President, the amount of money that the President has put forward, a billion dollars. We look at the federal government. Carbon capture and storage is one of the technologies that will be unleashed that will reduce emissions globally. In fact, in Alberta, with the kind of geology that we have, through enhanced oil recovery we will actually see a large return on our investment.

Mr. Anderson: Mr. Speaker, the CCS program has done nothing to open Keystone or Gateway or anything else. It's a failed \$2 billion PR disaster.

Mr. Speaker, given that many consumers like my constituent Larry Koper, small energy retailers, municipalities, and small businesses made large investments in energy efficiency upgrades based on the premise that they would be able to recoup their costs through the light up Alberta program, why did you pull the plug on these folks by axing the program without even a lick of consultation? How is that fair to them, Minister?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. I'm actually going to go back to the hon. member's numbers. His numbers are inaccurate with regard to CCS. It's actually \$1.4 billion. Those are the kinds of projects, when you look globally, that people are looking to Alberta as a leader. We have spent a lot of time talking, whether it be in the United States, in Canada, in Europe, and in China. When we look at the different discussions with regard to CCS, that is what is going to make sure that we're going to see real reductions, and the globe is looking to us to unleash technology so we can actually share with the entire world.

The Speaker: The hon. Member for Sherwood Park, followed by Innisfail-Sylvan Lake.

Justice System Delays

Ms Olesen: Thank you, Mr. Speaker. There is an old legal principle that justice delayed is justice denied, yet delays in the administration of justice are a problem right across this country. Court cases are dragging on for years, allowing for witnesses to move or recollections to fade. Delays jeopardize justice. There is a report, Injecting a Sense of Urgency, about delivering justice in serious and violent crimes. It identifies delays as the main problem. My first question is to the hon. Minister of Justice and Solicitor General. What steps have you taken to apply this report's recommendations to help expedite the effective administration of justice in Alberta?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. The report was an excellent report. It was authored by an ADM in my department – his name is Greg Lepp – and I'd almost even call it the gold standard. It talks about the expansion of court case management offices, something that's happening right now, and also the increased use of direct indictments. The use of direct indictments has already saved 10 weeks of court time in provincial court this year.

The Speaker: The hon. member.

Ms Olesen: Thank you. To the same minister. I recognize the independence of the judiciary and the distinct responsibilities within the court system that limit government capacity to direct change. What levers or additional steps can your ministry apply to influence change to reduce delays within the courts?

Mr. Denis: Well, Mr. Speaker, again, under the Constitution there is a shared responsibility for justice between the provinces and the federal government. I met with federal Justice minister Peter MacKay just this Friday in Calgary, and one of the things that we discussed was the elimination or the curtailment of preliminary inquiries. Disclosures have already happened under the

Stinchcombe case since 1991, and preliminary inquiries waste 23.8 weeks of actual time in each case. That's something that we are continuing to push, and it's something that I will push in a couple of weeks in Whitehorse at the federal Justice ministers' meeting.

Ms Olesen: To the same minister: what are the next steps in the implementation of the new approach to delivering justice in Alberta?

Mr. Denis: Mr. Speaker, I think that this is a moving target we need to look at, not just every year but every month. This is a continuing priority in our department. I've mentioned preliminary inquiries before, but there are also other items that we're looking at on a continual basis such as small claims court reform or, on the longer term even, traffic court reform that will save delays in other areas of our justice system.

The Speaker: The hon. Member for Innisfail-Sylvan Lake, followed by Stony Plain.

Continuing and Long-term Care

Mrs. Towle: Thank you, Mr. Speaker. In the 2012 election the Premier promised that she would open 1,000 long-term care nursing beds. However, the Minister of Health seems to think that these beds are the same as continuing care or assisted living. Vulnerable Albertans who need long-term care nursing are being forced either into lower levels of care or back into hospitals. With the government now planning to close 2,000 long-term care nursing beds by 2016, where does the Associate Minister of Seniors propose vulnerable Albertans needing 24-hour long-term nursing care go?

The Speaker: The hon. associate minister.

Mr. VanderBurg: Thank you, Mr. Speaker. Thank you for the question. There's no doubt that there are capacity issues across this province. The demographic change that we're feeling today and are about to feel is going to keep pressure on us, and that's why this government is committed to building a thousand new units for seniors each and every year. Whether it's in Rocky Mountain House or whether it's in Okotoks or whether it's in Crossfield or whether it's in Lacombe, your colleagues are proud to stand beside me when we're opening these facilities.

Mrs. Towle: Those are not long-term care beds, Mr. Speaker.

Given that yesterday the Member for Calgary-Glenmore asked the Health minister a question directly about seniors moving into long-term care and the Health minister was not willing or able to answer that question, can the Associate Minister of Seniors stand up in the House and explain the difference between long-term care nursing beds and continuing care beds?

Mr. VanderBurg: Well, I can, and anytime the member would like a lesson on continuing care, she can come over and visit. The fact of the matter is that appropriate care be given to residents. Whether they're someone with disabilities or are seniors, we need to make sure that they receive the appropriate care in the appropriate place and as close to home as possible.

Mrs. Towle: Mr. Speaker, clearly the Associate Minister of Seniors should know the difference between long-term care nursing beds and continuing care beds. Given that he clearly doesn't, can someone in the government please explain to the House what the difference is between long-term care nursing beds

and continuing care beds? They're funded separately. Please explain so that everyone knows what the difference is.

Mr. VanderBurg: Mr. Speaker, it seems like the student is trying to give the teacher a little bit of a quiz here. I'm going to tell you that any time the member wants to walk in my shoes and come with me to some continuing care facilities, to some long-term care facilities, to some dementia care facilities, she's sure welcome to join me. Your other colleagues sure do, and they're very interested in learning about this.

The Speaker: The hon. Member for Stony Plain, followed by Livingstone-Macleod.

Rail Transportation Safety

Mr. Lemke: Thank you, Mr. Speaker. Last month there was a rail line accident in my constituency. People were forced from their homes and given the uncertainty of this situation were, plainly put, scared: scared for their health, scared for their families, and scared for their homes. My question is to the Minister of Transportation. What is our government doing to ensure that disasters like this do not happen again?

The Speaker: The hon. minister.

2:40

Mr. McIver: Thanks, Mr. Speaker. This is an important issue and timely right now. I want the hon. member to know that we have been taking action on this.

For example, after the Lac-Mégantic event there already were recommendations that came out, and we have acted on all of those to adjust where appropriate the Alberta standards, Mr. Speaker. We've started taking action, and it hasn't stopped there. We have people on the ground right now looking at the incident that occurred just a couple of days ago.

Mr. Lemke: My first supplemental, Mr. Speaker: will this same minister commit to a process of finding that federal, provincial, and private industries can communicate in a timely manner what is being transported on these lines to ensure the safety of our communities?

Mr. McIver: Well, Mr. Speaker, I'd like the hon. member to know I have been in touch with my colleagues, the other Transportation ministers. The federal minister has committed to ongoing communication sharing with me and the other provincial Transportation ministers. We won't let up. The railroads would say – and I'm not taking issue with it – that more than 99.997 per cent of the cars get there safely. But as long as collisions happen, as long as Albertans are at risk, and as long as we can take action in partnership with our federal partners and the railroads, we will do so.

Mr. Lemke: Mr. Speaker, my last question for the same minister: what is being done to ensure that companies like CN are being held accountable to our citizens?

Mr. McIver: Well, Mr. Speaker, I'm guessing the hon. member is referring to the incident going on right now. As I mentioned in some of my earlier remarks, we have people on the ground. We are investigating what happened there, and if there are shortfalls that need to be addressed, we will be doing that. The hon. member is going to have to be a little more patient because we want to act based on facts and evidence rather than conjecture. I would say to

the hon. member that that will be a pretty short time period from now, in my estimation.

Statement by the Speaker

Brevity

The Speaker: Hon. members, that concludes question period for today. For tomorrow could I ask all of you after question 5 to please cut out your preambles? Today we had some who went on quite long with their preambles. I noted some of them. There were others that were very short. I would extend kudos to Calgary-Mackay-Nose Hill for a very succinct question and to the minister who answered very succinctly as well, as a result of which we had a few more members come on. But 21 questions and answers were still to be asked, and they were left at the altar, so to speak. So, please, let's try to abide by that tomorrow after question 5.

Just before we go back to Members' Statements in a moment, might we have unanimous consent to revert briefly to one introduction? Does anybody object to that?

[Unanimous consent granted]

Introduction of Guests

(continued)

The Speaker: The hon. Member for Edmonton-Ellerslie, your introduction, please.

Mr. Bhardwaj: Thank you very much, Mr. Speaker. It's an honour for me to rise today to introduce to you and through you some wonderful people visiting us from India. Colonel Harpal Singh Pannu is here with Chifali Pannu. Joining them today are some of my good friends: Pardoma Singh Gill, Arminder Singh Bhatta, and Dajinder Paul.* May I ask them to please rise and receive the traditional warm welcome.

The Speaker: Hon. members, in 25 seconds we will resume Members' Statements, beginning with Edmonton-Mill Woods.

Members' Statements

(continued)

The Speaker: The hon. Member for Edmonton-Mill Woods, followed by Banff-Cochrane.

Alberta Immigrant Nominee Program

Mr. Quadri: Thank you, Mr. Speaker. Today I would like to raise awareness of the recent changes to our Alberta immigrant nominee program. This is an excellent economic immigration program, jointly operated by the governments of Alberta and Canada. It supports Alberta's economic growth by attracting and retaining work-ready immigrants to our province.

As you know, Mr. Speaker, Alberta's robust economy creates tremendous demand for skilled workers in many fields. Alberta has the highest growth rate in the country, creating more than 77,000 jobs between August 2012 and August 2013. In order for our province to prosper now and in the future, we need to find the right people with the right skills at the right time to fill those positions.

While our priority is to ensure that Albertans and Canadians are hired first, we still need immigration to address long-term labour

needs. Alberta employers have asked us to help address their labour shortages. We listened, and we are taking action.

Over the summer changes to the program were made so that workers who are already living here and contributing to our province will have more opportunities to become permanent residents. Mr. Speaker, these changes will expand the eligible range of occupations, give more people an opportunity to directly apply to the program, and help ensure that we retain workers in occupations that are in high demand. We are helping employers find the workers they need, and we are helping more hard-working newcomers get closer to achieving their dream of becoming a Canadian citizen.

We encourage all members of this House to please share this information with their constituents, some of whom may be eligible for the nomination. I want to mention that some of these changes are temporary, with an application closing date of November 28. Please go online for more information. The website address is AlbertaCanada.com/AINP.

Mr. Speaker, we need good people to help us build Alberta, and that includes Albertans, Canadians, and skilled people from around the world.

Thank you.

The Speaker: The hon. Member for Banff-Cochrane, followed by Strathmore-Brooks.

South Saskatchewan Regional Plan

Mr. Casey: Thank you, Mr. Speaker. The South Saskatchewan regional plan includes the South Saskatchewan River basin, the Milk River basin, and the Alberta portion of the Cypress Hills. This is an area of 83,764 square kilometres, which represents 12.6 per cent of Alberta's land base. Located within the boundaries are 15 MDs, five cities, 29 towns, 23 villages, two summer villages, and seven First Nations, with a population of 1.6 million people, or 45 per cent of Alberta's population.

The SSRP will utilize a cumulative effects management approach to balance economic development opportunities and social and environmental considerations. It will clearly define desired outcomes and establish monitoring, evaluation, and reporting commitments to assess progress, and, possibly most important, it will provide guidance to provincial and local decision-makers regarding land-use management for the region.

Municipal planning and development decisions will remain the jurisdiction of the local authorities as they always have; however, municipal statutory plans will have to align with the regional plan in order to achieve the desired outcomes of the region. Planning in isolation without due consideration of the impacts of decisions on neighbours and other stakeholders in the region will be a thing of the past.

Mr. Speaker, there are several areas of the draft SSRP that are of interest to the constituents of Banff-Cochrane. Over the next few weeks I will be meeting with stakeholders to ensure that they have an opportunity to provide their input on the plan as all Albertans do. Beginning today through November 28 stakeholder workshops and public information sessions will be held in 21 communities across the planning area on the draft plan, or residents can fill out the workbook online at www.landuse.alberta.ca.

Mr. Speaker, I would encourage everyone to engage their constituents to provide input needed to complete this valuable planning process. Thank you.

The Speaker: The hon. Member for Strathmore-Brooks.

*These spellings could not be verified at the time of publication.

Pipeline Safety

Mr. Hale: Thank you, Mr. Speaker. Recently Canadians were reminded of the crucial importance of pipeline integrity, no thanks to the government's pipeline safety review released this summer. While Albertans know the value of pipeline integrity for economic prosperity and the environment, the report demonstrated the government's utter lack of seriousness in assessing the need to improve pipeline safety with concrete measures to step up our game in enforcement. The report failed to even look at the enforcement of regulations and did not address shortcomings in reporting and monitoring procedures. The report failed to address several available examples of recent spills and did not take any lessons from these mistakes to improve safety going forward.

Albertans were left wondering why the government commissioned the report at all. It's great that the report recognized that we have regulations, but – hold your applause – the existence of regulations was never the question. While the report makes recommendations going forward, it does nothing to address the integrity of our 400,000-and-some kilometres of existing pipelines.

Integrity should be an important idea for the government. Well, let's not look to the government, whose Municipal Affairs minister says one thing to Albertans and then tells another audience that our oil industry sucks the life out of every other aspect of Alberta. That's not integrity.

Neither did the review add to pipeline integrity or offer an honest look into the critical challenges facing our industry. Enforcement is critical for Alberta to prove that it is leading the way in pipeline integrity. Whether it's the east-to-west pipeline, the Keystone XL pipeline, or western pipelines, demonstrating to our customers our steadfast and unwavering dedication to pipeline integrity in the face of ever-expanding production is critical to our economic future.

Our customers want to know that our regulations are being enforced. It's not good enough just to have regulations. Thankfully, the Auditor General has agreed to my request for a review on reporting, monitoring, and enforcement procedures of the Alberta Energy Regulator.

2:50

Introduction of Bills

The Speaker: The hon. Associate Minister of Services for Persons with Disabilities.

Bill 41

Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013

Mr. Oberle: Mr. Speaker, I rise today to introduce Bill 41, the Premier's Council on the Status of Persons with Disabilities Amendment Act, 2013.

If passed, this bill will give the council a more strategic and influential role in government policy and in program development. It is intended to rejuvenate and reinvigorate the council, and it speaks to the value this government places on the Premier's Council on the Status of Persons with Disabilities.

Mr. Speaker, I offer my sincerest thanks to the council for the great work they do in improving the lives of Albertans with disabilities. It is absolutely humbling to interact with such people, and I eagerly look forward to the coming year. Thank you to the council.

[Motion carried; Bill 41 read a first time]

The Speaker: The hon. Deputy Premier.

Bill 43

Alberta Economic Development Authority Amendment Act, 2013

Mr. Lukaszuk: Well, thank you, Mr. Speaker. I request leave to introduce Bill 43, the Alberta Economic Development Authority Amendment Act, 2013.

Bill 43 will renew the legislation and create a new governance model for the Alberta Economic Development Authority. The authority, established in 1994, has been a valuable adviser to the Premier and cabinet on issues affecting the Alberta economy. The proposed amendments to the act will be the first substantive changes to the legislation since its inception.

Thank you, Mr. Speaker.

[Motion carried; Bill 43 read a first time]

Tabling Returns and Reports

The Speaker: The hon. President of Treasury Board and Minister of Finance.

Mr. Horner: Thank you, Mr. Speaker. I'm tabling today the appropriate number of copies of the Alberta Gaming and Liquor Commission annual report 2012-2013 and Charitable Gaming in Review 2012-2013. Over the course of the year the AGLC has met its mandate in ensuring that the province's gaming and liquor industries operate effectively, with integrity, and in a socially responsible manner. During 2012-13 the AGLC saw an increase in gaming and liquor revenue from the previous year. More than \$716 million was earned from liquor operations. In addition, almost 1 and a half billion dollars in gaming revenue went into the Alberta lottery fund. This money benefits all Albertans by supporting numerous community initiatives. I'd also note, Mr. Speaker, that Alberta charities raised nearly \$330 million through charitable gaming activities in the same period.

Thank you, Mr. Speaker.

The Speaker: The hon. Minister of Health.

Mr. Horne: Thank you very much, Mr. Speaker. I'm pleased to rise today to table the requisite number of copies of the College and Association of Registered Nurses of Alberta annual report 2011-2012. The college is the professional and regulatory body for over 33,000 registered nurses in Alberta. Its mandate is to protect the public by ensuring that Albertans receive effective, safe, and ethical care by the registered nurses of our province.

Thank you, Mr. Speaker.

The Speaker: The Minister of Justice and Solicitor General.

Mr. Denis: Thank you very much, Mr. Speaker. I have two tablings today, the first of which is a letter from myself to the Hon. Peter MacKay, the Minister of Justice federally, dated August 26. It talks about the victims of crime, a victims' bill of rights, and some of the things that Alberta would like to see in this victims' bill of rights. I'll pass that to the page.

Secondly, one of my favourite topics, Mr. Speaker, lawyers, is the 2011 annual accountability report from the Law Society of Alberta, which, of course, is a self-governing body.

The Speaker: The hon. Minister of Culture.

Mrs. Klimchuk: Thank you, Mr. Speaker. I rise today to table the appropriate number of copies of annual reports for the Alberta

Foundation for the Arts, the Alberta Historical Resources Foundation, and the Wild Rose Foundation.

Thank you.

The Speaker: Are there others? Hon. Member for Edmonton-Gold Bar, did you have a tabling?

Mr. Dorward: Yes, Mr. Speaker. I'm tabling the wording on a plaque in the Gold Bar area called the Capital City Recreation Park Announcement.

The Speaker: Thank you.

Hon. members, we have one point of order, and I do have the benefit of the Blues. Just before we get into it – I'm interested to hear what the point of order is – I would remind all members that sometimes in this Assembly the cut and thrust of debate results in some bantering across the aisle and that those comments are rarely picked up in *Hansard*. So we have nothing to go on if that's what the subject of this is.

Let's hear what the point of order is, Airdrie.

Point of Order

Remarks off the Record

Gestures

Mr. Anderson: Mr. Speaker, thank you. I rise on a point of order which I think is very serious, and I would ask that you hear the argument fully. We do actually have several witnesses to what occurred. I refer to Standing Order 23, particularly (j), the use of "abusive or insulting language of a nature likely to create disorder," and (l), "introduces any matter in debate that offends the practices and precedents of the Assembly," but specifically (j), as well as O'Brien's *House of Commons Procedure and Practice*, particularly chapter 3, and I'll get to the specific citations as we go.

The issue in question is that after the Leader of the Official Opposition asked a question of the Deputy Premier, which you have in the Blues, the Deputy Premier stood up and answered that question in a very emotional way. We won't go into the veracity of what was said in his statement. That can be done at a different time. After he sat down, this member, the Deputy Premier, leaned over his desk very clearly to members on this side of the aisle, motioned to the opposition leader in this manner with both hands, saying, quote: bring it on; you want this; bring it on; bring it on, shouting it across the aisle in that way.

Now, I understand that this member was emotional when he was giving his answer. I understand that, but I want to turn to chapter 3, page 82, of *House of Commons Procedure and Practice*, where it very clearly states:

Thus, the House also claims the right to punish, as a contempt, any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member or officer of the House in the discharge of their duties; or is an offence against the authority or dignity of the House, such as disobedience of its legitimate commands or libels upon itself, its Members, or its officers.

On page 83 it gives an example of that, of what contempt might look like, and one of those things is "assaulting, threatening, obstructing or intimidating a Member or officer of the House in the discharge of their duties."

Further, on page 84: "assaulting, threatening or disadvantaging a Member, or a former Member, on account of the Member's conduct in Parliament."

That is clearly a reference that in this Legislature, Mr. Speaker, we need to be able to come in here and do our job, speak to these things, and physical intimidation should never be a part of or a response to somebody's conduct in this Legislature. I think we can all agree with that. I think we don't want to devolve into some of these other parliaments that we see around the world where people are physically coming over the boards, so to speak, to engage each other physically. This isn't a hockey game.

The Speaker: Hon. member, I'm trying to follow your argument in *House of Commons* under pages 82 and 83, and I believe you're quoting from privilege versus contempt. Are you intending to raise a point of privilege here?

Mr. Anderson: Well, Mr. Speaker, it would be my intention to . . .

The Speaker: I'm not going to get into a discussion with you right this moment, hon. member. I'm simply asking you to clarify because what we're looking for is a point of order with regard to other procedures in the House.

3:00

Mr. Anderson: First of all I also quoted the standing order, and maybe we can proceed on the standing order. But if there's no apology given, I will proceed on a point of privilege tomorrow. Absolutely.

With regard to, "uses abusive or insulting language of a nature likely to create disorder," Mr. Speaker, I know that this member can be emotional, as can we all be in this Legislature. I would suggest, though, that when we come into this Legislature, we should do so free from being physically intimidated. What happened there was over the line. Everybody on this side – well, most people on this side – saw it. I won't say everybody, of course. There are people that are willing to say it, and certainly the Leader of the Opposition clearly deserves more respect than that.

I would note, too, that this member was obviously very upset with the fact that this dealt with his family, as would any of us be in this situation. But that doesn't change the fact that you cannot lean over the benches and physically motion to the person to come over and say: bring it on; bring it on; you want this; you want this. We can't have that in our Legislature. If that's the case, it's going to continue on and just elevate itself over and over again.

So I'd ask that he apologize for the comment, that he clarify and make sure that he will not do that again, and hopefully we can move on respectfully.

The Speaker: Someone from the government side? The Deputy Premier.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. In a sense I'm glad that this member raised a point of order or privilege, whatever it is that you deem it to be. This is one of those occasions where I don't have to cite *Beauchesne*, I don't have to cite our standing orders, but I will simply cite common human decency based on which I imagine you should make this ruling.

Mr. Speaker, this member – and I'm referring to the leader of the Wildrose opposition – is not a new member. She's been here for a while, she's well read on the news, she is very active on Twitter, and I know that research monitors Twitter very carefully. I know and you know that this matter was widely published in mainstream media when the occurrence took place, so there is no way that members of the opposition can say that they were not aware of what the context of this matter was. It was clear. It was published. Everybody knows about it.

In case you don't remember, Mr. Speaker, let me refresh your memory. A reporter from our beloved, taxpayer-funded CBC had decided, based on what he believed were tips given to him, that my wife and I and my wife and my office, in particular, apparently, allegedly, according to him, were having inappropriate exchanges via e-mail. In order to follow up on what exchanges by e-mail I have between my wife and myself or my office may have, he has decided to FOIP any and all exchanges between my office, myself, and my wife. Since my wife and I don't practice e-mailing back and forth with each other, all I believe they found were a couple of calendar entries wondering whether she would be attending an event with me or not and pictures of my children, because they were doing something particularly cute at a moment at home, and she sent me a picture of the children.

Now, that put me in a very difficult position, Mr. Speaker. If you don't release it and you black it all out, then the accusation is that you're hiding something. What was in those pictures? What is it that you blacked out? If you do, you end up releasing pictures of your children, which we had been successful, up until that point in time, in keeping very private. We, unfortunately, having not many choices, have decided to release that information – that is, the office has decided to release that information – even though perhaps it was outside of the scope of FOIP.

While that was happening, Mr. Speaker, that very same reporter had also run checks on motor vehicle registration and land titles and on Twitter started releasing my home address and the whereabouts of my house, the description of the vehicles that we drive, the licence plates of the vehicles that we drive. As a result of that – and that is all well-known information that that member knew about – my personal home had to be re-alarmed, RCMP had to do security checks, my wife had to carry a personal alarm system on her, windows in my vehicles had to be tinted, and schools for my children had to be advised of extra caution and extra release of information strategies just to keep them safe and outside of the scope of someone because, as you know, we expose ourselves in public life to a variety of activities. As a result, CBC has seen the wisdom, and they demanded that their reporter remove that information off Twitter. But you know that once it's out, it's out, and you can't put that back in the bag.

This member knew that, and she had the audacity to raise that and question my transparency and my office's willingness to release information. Mr. Speaker, I would never interfere in the release of information, as we haven't in this case. As a matter of fact, we went beyond that point, and we released information that was outside of FOIP so as not to leave ourselves open to questioning what perhaps could have been in the stuff that was blacked out. But this member had the audacity to go there.

So I will not apologize for saying, "Bring it on; bring it on; you want to go, let's go; if you want to go down that path, let's go," because no member in this House should expose his family or children to this kind of garbage. While this was happening – and you know, Mr. Speaker, not everything is caught on cameras – the Leader of the Opposition was smirking away and having a jolly good time because she knew, she knew, that this was going to aggravate me. That's what it was really all about.

We are in public service, Mr. Speaker. You can accuse me of anything you want – I chose to run for office – but you leave families alone.

The Speaker: I'll recognize one more speaker from the Alberta Liberals on this point. Please, briefly.

Ms Blakeman: Thanks very much, Mr. Speaker. This is a contemporary problem for us because we have so much electronic

information that comes and goes now. I will admit that I have not read Twitter and the other things that are available. My problem with this is how we balance being open and accountable, elected politicians with someone seeking very personal information.

In Canada we're pretty lucky. The media doesn't interfere in our lives too much. But what we have in this House is a threat against – there are two threats here, maybe that's the best way to put it. One is the threat against the Deputy Premier's family, which is unacceptable under any circumstances, but the second is the threat, verbal and by gesture, that was made in this House to another member. Neither are acceptable, and I urge the Speaker to carefully consider whether excusing the member for using a gesture, which is a threat and is forbidden in every parliamentary book I can find . . .

An Hon. Member: Especially to a woman.

Ms Blakeman: Well, whether that threat is to a woman or a man, in this day and age I hope that wouldn't matter quite so much, but it still does matter, certainly, as far as weight and how much damage a particular assault can do to someone.

Please, Mr. Speaker, keep in mind that although this member was unquestionably provoked, this reaction should not be allowed in this House to anyone, by anyone. I understand the grief this has caused him – no question – but you cannot allow a member to threaten a member in this House verbally or with a gesture or right-out assault.

Thank you.

The Speaker: Hon. members, I have two more requests for commenting, and I'm going to honour them if they are exceptionally brief. I'll begin with Innisfail-Sylvan Lake, then the Minister of Justice, and I hope that will conclude it. Please be brief, or I will have to interrupt you.

The hon. Member for Innisfail-Sylvan Lake.

3:10

Mrs. Towle: Thank you, Mr. Speaker, and I will keep my comments brief. I can appreciate where the Deputy Premier is coming from – as a mom I would not want to be in that position – and I can also appreciate that having personal information on Twitter about any one of us has got to be something that's very aggravating. However, the question that was posed to the government had nothing to do with personal information. It had to do with a FOIP request and his response to that in terms of bullying and intimidation of the journalist by going through his boss. I want to make that very, very clear.

We can't assume to know what the Leader of the Official Opposition may or may not have known previous to asking the question. The question was a legitimate question on the role of the Deputy Premier and how they deal with FOIP, the access to FOIP and the information that comes from FOIP, and his actions that he took once the FOIP was received. I am completely sympathetic to his position, and I'm completely sympathetic to his emotional response.

The other part I just wanted to say really quickly – and the hon. member from the Liberal side didn't go there – is that there's a reason why women don't go into politics. At no point in time should anyone in this House – anyone – feel . . .

The Speaker: Hon. member, thank you.

I don't mind hearing one good defence or one good allegation substantiated, if you like, by one member from each party, but then we get into an all-afternoon discussion on this. I have two

more members over here now. I'm just going to have to stop it right here. I did say the hon. minister would have a brief comment.

Now, hon. Member for Innisfail-Sylvan Lake, I assume you have concluded your remarks or you're about to.

Mrs. Towle: Not really, no, Mr. Speaker.

The Speaker: I'll give you another 30 seconds, and that will be it, okay? This is not a discussion with the chair. I just indicated earlier that I would recognize you if you were brief, and I'm going to recognize the Minister of Justice to be equally brief, and that's it. I'm well aware of what was said. I have the Blues right here, and I will rule on it momentarily. So, please, wrap up your comments in 30 seconds.

Mrs. Towle: I was just going to finish my sentence, Mr. Speaker. All I was saying is that we would not tolerate this kind of behaviour on the school ground. We shouldn't tolerate it in here. I'm just asking you to use that in your decision-making as well.

The Speaker: Hon. member, that's a very interesting comment you just made. I may have to use it in future rulings. Very, very well said. Thank you for that. I'm glad I let you go on.

The hon. Minister of Justice.

Mr. Denis: Thank you very much, Mr. Speaker. I will endeavour to be very brief. One of the things from your past rulings that you've talked about is a reference to *Beauchesne's* and the fact that the Speaker has the authority to accept two varying versions of the same group of facts. [interjections] I sit here, and I honestly didn't see – again, I'm going to ignore the boos over on that side. I can hardly even hear myself. I would suggest that this is a matter that, depending on where you were sitting, you may have had different items. I don't suggest that the Member for Airdrie has made any fallacious items, but at the same time I don't think that the Deputy Premier has either.

The Speaker: All right. I think we've had ample opportunity for people from at least three different parties to clarify their views on this matter. Let me indicate what I have before me and upon which I have to make a ruling here momentarily. At approximately 1:53 this afternoon, right near the beginning of question period, the hon. Leader of Her Majesty's Loyal Opposition rose and asked the following question with a preamble, according to the Blues:

The Deputy Premier seems to be having trouble with access to information requests lately. The freedom of information and privacy commissioner reported yesterday that the Deputy Premier bullied, threatened, and intimidated a journalist for having the nerve to file an access to information request on him. He ridiculed him publicly on Twitter and has even called the journalist's boss. This kind of behaviour is absolutely deplorable for someone in his position. To the Deputy Premier: what does he have to say for himself?

That's the end of that first question and preamble.

The Deputy Premier then rose and said:

Well, Mr. Speaker, I'm actually glad that this hon. member asked this question because it is time that some of the facts surface. This is a situation where a reporter has FOIPed very personal information, particularly asked for correspondence between myself and my wife, has obtained pictures of my children, and has on Twitter published the licence plate, description of the vehicle that my wife drives, and my home address. That was simply unacceptable, and that's where I and every member should draw the line.

Immediately thereafter, according to the Blues, the Member for Airdrie rose on a point of order. Now, having heard the arguments

from Airdrie in particular, it doesn't appear that the point of order was necessarily specific to anything that was said and recorded in *Hansard*. Rather, it was to do with some subsequent discussion across the aisle that perhaps he and the Deputy Premier had or perhaps something that happened between the Deputy Premier and the Leader of Her Majesty's Loyal Opposition.

I'll start with the issue of the gestures. Hon. members will know that seldom does a debate of any kind go on in this House, particularly during question period, where gestures of some form or another are not evident. Now, sometimes those gestures get picked up on television. They certainly don't get picked up on radio or in the newspaper. Shaking fingers, shrugging shoulders, throwing your hands up in the air are all gestures.

Now, if I were to rise every time I saw one of these gestures, you can appreciate that I would be on my feet a lot more than I already am. However, one must draw the line where gestures might seem to be or appear to be of a threatening nature, as Airdrie just pointed out. I did not see that specific gesture, but I want to turn to part 2 of what is also not recorded in *Hansard*, and that was a comment that I heard made. I did not hear the Deputy Premier say, "Bring it on; bring it on" or whatever it is alleged that he said, and neither does *Hansard*, according to the Blues, illustrate it. But I did hear I believe it was Airdrie asking someone to step out and to discuss this matter. That might have been an inappropriate thing to have said, but it's not on *Hansard* either, okay? [interjections]

Now, please, hon. members, don't argue with me. I have fairly good ears for the first few rows, okay? I'm just telling you now that neither the gestures that we saw or heard, if they, in fact, occurred, nor the statements that were made are appropriate behaviour for this House. Neither one. There is a point of difference, and I can appreciate that this was an emotionally charged item.

Now, after the Deputy Premier offered his explanation, we ought to accept that as being how he saw the situation since he was personally involved in it. None of the rest of us were. There's a long-standing tradition in this House where we accept the view of another member. We accept it. We may not like it. We may not agree with it. We can even rise and challenge it if we so wish, but our first duty is to accept another member at his or her word.

The hon. Member for Edmonton-Centre stated an interesting thing in this regard as well. I don't have her exact quote, but I wrote down as quickly as I could: how do you balance accountability with legitimate requests for information? I believe she meant about government business, policies, and programs, and then she went on to comment further. That's a very good question, but I think we should all draw the line when it comes to issues to do with our personal lives, issues to do with our families, issues to do with our children.

Those of you who know some of the members in this House know that we're talking about children who in some cases can't even speak yet for themselves. They are that young. So you have to put yourself into the position of how you would feel if someone were to raise that kind of a personal attack or whatever it might seem to be on you or your family members. I think we would all agree on that.

Seeking information in the first part of the question is all good. After it has been clarified, you probably should take note at that point and realize that there's a time to sort of stop, if the answer has been given and you are taking someone at their word, or to go back and do more research and come back with a new approach the next day. Sometimes the 24-hour rule is very good to follow. There are ample examples in the books of tradition that guide us, and I've cited them before – I'm not going to take the time to cite them again – where references are made as to what is appropriate

and inappropriate, words to be used and actions to be seen in our Houses.

3:20

I'll conclude just by referencing a couple of points here in this respect which I think are relevant. In my form of *Beauchesne's*, sixth edition, on page 143 it indicates the following under article 486:

Remarks which do not appear on the public record and are therefore private conversations not heard by the Chair do not invite the intervention of the Speaker, although Members have apologized for hurtful remarks uttered in such circumstances.

Now, I heard some comments. I didn't hear the entire conversation, okay? So let that be one reminder.

Secondly, with respect to unparliamentary language, from *House of Commons Procedure and Practice* on page 618 let me quote this:

If the Speaker did not hear the word(s) in question, or if there is a dispute as to what words were actually used, the Chair may set the matter aside pending a review of the record and, if necessary, return to the House at a later time with a ruling. The Speaker has also ruled that if the Chair did not hear the offensive word or phrase and if the offensive language was not recorded in the *Debates*, the Chair cannot be expected to rule in the absence of a reliable record.

We have no reliable record of the gestures or of the entire conversation that may have been part and parcel of those gestures, but I will accept both sides of the discussion in this respect as clarifications on this matter.

I would put a request before you as well to please, please remember that there's a fine line that always occurs when you're talking about the integrity of another member and you bring into it issues of personality or issues that are personal about him or her and their family members. Please remember that, hon. members, so that we can move forward at a much higher level of discussion and debate going forward.

That concludes this matter. There is no point of order.

We will now continue.

Orders of the Day

Government Bills and Orders

Second Reading

Bill 35

Financial Administration Amendment Act, 2013

The Speaker: The hon. President of Treasury Board and Minister of Finance.

Mr. Horner: Thank you, Mr. Speaker. I appreciate the wise words that you provided us with this afternoon.

I am pleased to rise today to move second reading of Bill 35, the Financial Administration Amendment Act, 2013.

Bill 35 makes several amendments to the act that are needed to help government carry out its day-to-day business and continue to effectively manage the capital projects which we have undertaken. More specifically, an amendment is required to clarify which parts of the supply votes are eligible for capital carry-over to the following fiscal year. There are also a number of other minor changes to other parts of the act, and I'll get to those other amendments in a minute. For now I would like to focus on the capital carry-over provisions.

As you know, all appropriations are the responsibility of the Legislative Assembly. The Legislative Assembly has delegated limited authority to Treasury Board to address smaller issues

related to these appropriations, including the capital carry-over. Each year government allocates a certain amount of money to each capital project. Many of these projects take several years to complete. Sometimes there are factors that can change the pace at which that money is spent such as construction delays or reprofiling, so we need the capacity to carry over the funding to the next fiscal year. This capital carry-over is a long-standing and valuable fiscal tool that enables efficient management of government capital projects. By eliminating the need to go back to the Legislature for approval to carry over funds that have already been voted in, the capital carry-over ensures approved projects are not further delayed by the processing of a ministry's funding approval.

Why do we need an amendment? Budget 2013 changed the supply vote names and structure. The current definition of a capital carry-over in the act does not correspond to the structure and wording in the 2013-14 capital supply votes. The amended definition makes it clear that Treasury Board retains the power it had before to carry over capital investments in 2014-15 and in future years.

Second, under the new supply vote structure capital grants to other bodies are now part of that capital vote. The amendment makes it clear that capital grants to a third party such as a university or a municipality cannot be carried forward. Only money for government-owned capital projects can be carried forward.

Moving on to the other proposed amendments I mentioned earlier, these will make a number of technical and administrative changes to help government carry out its day-to-day business. They include aligning references related to the debt-servicing limit between the Financial Administration Act and the Fiscal Management Act. For example, the Fiscal Management Act repealed section 62 of the Financial Administration Act, but section 64 of the FAA still references section 62.

Clarifying the government's authority to issue uncertified securities as part of its borrowing program, section 65(1). Uncertificated securities are registered and tracked in an electronic book, but no paper record is issued. This reduces transaction costs and increases efficiency. Using this form of security will not impact the accounting and reporting of Alberta's borrowing activities, and the clarification applies only to securities issued by the government. Legal counsel has advised that this is something government can do already but recommended an amendment to make it clear.

Providing needed flexibility related to self-insurance coverage and services provided by the government's risk management fund. This amendment provides needed flexibility to the minister in entering into agreements and making arrangements for the provision of coverage and services. This eliminates the need for an individual participant such as a public official to sign an agreement when doing so would be impractical or otherwise undesirable. For example, public officials funded through a government department could be covered by the risk management fund under the department's risk management agreement rather than under a separate agreement for each official.

Four, clarifying the restrictions on incorporating provincial corporations. The current provisions in sections 80(1) and (2) pose technical difficulties due to the timing of when a corporation becomes a provincial corporation. The amendments will clarify the necessity of obtaining Lieutenant Governor in Council approval before turning a corporation into a provincial corporation.

Fifth, permitting tailored government oversight of borrowing by provincial corporations such as the Alberta Capital Finance Authority or postsecondary institutions. Section 81(1) relates to

provincial corporations that issue debt securities. This section says that only the Minister of Finance may negotiate and determine the loan terms. The amended section allows provincial corporations who have the power to borrow to directly negotiate loan terms where the Minister of Finance considers it appropriate and subject to direction or conditions imposed by the minister. For example, where a postsecondary institution requires modest short-term financing, it may be appropriate to allow the institution to participate in negotiating the loan.

As you can see, the proposed changes are housekeeping in nature, technical and administrative changes that serve to provide clarity, improve the day-to-day operation of government, and continue to effectively manage our government capital projects. I do recommend moving these administrative changes forward so that government can continue those operations in a more efficient manner, and I ask all members of the Legislature to support this bill.

Thank you, Mr. Speaker. I now move to adjourn debate on Bill 35.

[Motion to adjourn debate carried]

Bill 40

Settlement of International Investment Disputes Act

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

Mr. Quadri: Thank you, Mr. Speaker. I'm pleased to rise today to move second reading of Bill 40, Settlement of International Investment Disputes Act.

If passed, this act will support the implementation of the convention on the settlement of investment disputes between states and the nationals of other states. The convention is an international treaty that establishes the International Centre for Settlement of Investment Disputes, or ICSID, and Bill 40 will implement the ICSID convention in Alberta. The ICSID is an organization devoted to the resolution of international investment disputes between states and the nationals of other states through arbitration and conciliation.

Canada signed the ICSID convention on December 15, 2006, and announced formally on November 1 that it had ratified the convention, and it will come into force on December 1. Provinces and territories have been encouraged to pass their own legislation implementing the ICSID convention within their jurisdictions to ensure the comprehensive implementation of the convention across Canada.

When the ICSID convention comes into force in Alberta, investors abroad in any of the 150 countries that have already ratified the ICSID may have recourse to ICSID to resolve disputes raised with the country in which they are doing business. The ICSID convention itself as a procedure is not involved with any substantive policy change or new obligation regarding foreign investors. Rather, it provides the rules and infrastructure for the foreign investor to address the case of a breach in a trade or investment agreement.

3:30

As part of building Alberta, we have worked hard to promote Alberta abroad and facilitate the free flow of international investment to Alberta and to help Alberta businesses succeed overseas. Promoting fair trade rules and equal treatment for our businesses must go hand in hand with efficient dispute resolution mechanisms that allow our investors to pursue a fair treatment of compensation.

Thank you, Mr. Speaker. I now move to adjourn debate on Bill 40.

[Motion to adjourn debate carried]

Government Bills and Orders Committee of the Whole

[Mrs. Jablonski in the chair]

The Deputy Chair: I'd like to call Committee of the Whole to order.

Bill 27

Flood Recovery and Reconstruction Act

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Saskiw: Thank you, Madam Chair. I'm pleased today to rise to speak to Bill 27 at Committee of the Whole. Of course, Bill 27 is an act that was put forward by the Minister of Municipal Affairs on the flood recovery and reconstruction. We see that as this Premier is heading on to her very important date of November 22, in advance of that she decided to make a whole bunch of new ministerial positions. I believe we have the highest ratio in Alberta in terms of ministerial positions to MLAs, and part of that she justified as a result of Bill 27 and the need to have some reconstruction in the flood-ravaged zones.

Madam Chair, I believe that the devil is in the details in this bill. I know that a few of our members spoke up in second reading and gave their cautious approval in terms of the overall intent of this legislation, but in Committee of the Whole our job is to go through the nitty-gritty details and ensure that any unintended consequences of the legislation are adequately addressed through debate here in the Legislature or through substantive legislative amendments that we put forward. I know that many of my other caucus members want to speak to this bill and go through it at least generally. Eventually we'll go through some of our amendments at a later point, but I think at this stage we will start the discussion process in Committee of the Whole.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. member.

Ms Blakeman: I think there were some directions included in the previous speaker's comments, but I'm not in his caucus, so I'm not taking his direction. Sorry. I have a number of amendments that I have prepared to try and amend this bill. Just let me say at the beginning that I and my caucus don't have any objection to trying to increase flood mitigation attempts or legislation that would enable that. I have no interest in trying to stop the government from trying to help with disaster relief – and, please, don't anyone over there try and cast it as this because it's not – but there are some things that I have concerns about in the bill.

The primary one, Madam Chair, is the unfettered, enormous scope of power that is allocated to the minister. As I said when I first spoke to this bill, it is almost on the level of the War Measures Act. I mean, almost any power is allocated here. I listened carefully to the member for Calgary-Klein, who is now the Associate Minister of Regional Recovery and Reconstruction for Southwest Alberta. My goodness. I know he was some offended by the fact that I hadn't quite cottoned on to his new ministry, but to tell you the truth, he hadn't really risen off the page and done anything that

I would take notice of, so I apologize for offending him by not knowing that he was now an hon. minister.

In his talking he went on quite a bit about, "Well, what do you mean? We gave all people all kinds of information," and I questioned him again because it seemed to me that what he was saying was that we did press releases and we did media releases. Indeed, the member has been kind enough to send me over – I'm not sure how to describe this – a chunk, a wad, a mittful, no, not quite, a third of a mittful of their press releases, in which he is saying that policies that have been announced on floodways and flood fringes are covered. I almost wrote him a note back saying, "Really? This is how you communicate vital policy during a time of emergency, with press releases?" Are people still getting their *Calgary Herald* delivery when they're homeless? Is it being delivered somewhere that they can pick it up? Are they walking around with their televisions getting the television report about this? I was taken aback that this seemed to be the only way that they were getting information across.

Now, as I went through this, there are some very good back-grounders that were attached that go into a level of detail that I would expect to see from a government policy that is affecting so many people. It's written down where they go, what they need to have, and all of that, but the press releases themselves I don't feel are an adequate way of getting information across, particularly if they're the sole way of getting information across because for the most part they were, well, government media releases, Madam Chair, and this government has not been shy about talking about the fact that their media releases are now politicized, that they have press secretaries on staff that make these political messages. That's what in these.

I am surprised if this is the only thing. Perhaps I'm mistaken, and there was something else. I don't live in southern Alberta. Maybe there was another way of getting that information across. I just wanted to follow up and put that on the record.

3:40

We have an act that is trying to deal with moving forward on how to do it better next time, which I'm encouraged by. I believe that we should be trying to do that. The government has been pummelled enough with the fact that they ignored not one but two reports previous to the floods actually happening this summer, which did give them some fairly straightforward direction on things they needed to do. Very few of the recommendations were taken up.

I think this is another place where politics head-butts with policy. Once you've done the flood and moved on, you know, everybody's attention has moved away from it. It's a little harder to convince people, to convince Treasury Board that they need to be plowing fairly large amounts of money into flood mitigation after the 2005 or the 2010 floods in southern Alberta. I understand that. Still, when we look back on it, I'm sure that if you asked those homeowners now that lost homes or pets or farm stock, they would say, "You should've spent the money; you should've been firmer about getting this done" so that they didn't have the losses that they did. That is a criticism that I continue to level against the government. I continue to be alarmed by the amount of power that's been claimed in this legislation.

The first amendment that I would like to put on the floor – and I recognize that other members just want to speak generally, but perhaps you can do that through my amendment, and I'll just get this on the floor – in particular is around the use of the land in the floodways in what I see as a very ad hoc manner. That amendment would be here. I will pass it to a page, making sure I leave the

signed copy on the front. I occasionally have a habit of not doing that.

The Deputy Chair: Hon. member, we will pause for a moment while we distribute the copies of the amendment.

We'll just wait one moment for the front row.

Okay. I think that the majority of them have a copy now. Would you like to proceed, hon. member.

Ms Blakeman: Thank you. The pages as usual are doing a marvellous job of getting the amendments out. Thank you for the help.

This is where it always gets a bit crazy for people following along at home because you have the amending bill, and then that's amending the original legislation. So you end up with two sets of numbers you're playing around with here. This amendment is amending section 2(3), which in itself is amending the proposed section 693.1(1), which is an insert section that is talking about development in floodways.

As you know from my previous remarks, Madam Chair, I had a lot of problems with the fact that "floodway" was not clearly defined. You've heard a number of people here speak about how the flood maps were not up to date. The flood itself has changed the course of the river. It actually changed the courses of rivers or creeks while the flooding was going on. I've heard from people, my own constituents, who were saying: well, where do we get that definitive definition of floodway? It caused quite a bit of consternation for people.

What I have done here is propose that we strike out clause (c), which is the clause that says – sorry. Let me go back to the top. "The Lieutenant Governor in Council may make regulations." Once again, that's cabinet. It happens off in some special room that we don't get to see. But the Lieutenant Governor in Council may make regulations, and section (c) says, "modifying or suspending the application or operation of any provision of this Act for the purposes of giving effect to this section."

That's a very wide scope, and that's a heck of a lot of power. I am proposing that that section be struck out of this amending act, Bill 27, Flood Recovery and Reconstruction Act. I think we need to curb the enthusiasm of what various ministers and governments and cabinets may wish to do in the future. That is what we're trying to do with this bill, look to the future and at what can be done now to make next time less harmful or to stop a next time.

I know that others can go in detail into the problems with that definition of floodway and the flood maps and how up to date they are and a number of other things, and I will let them do that, but I do hope that I can get support from everyone here for this amendment, which would be amendment A1.

Thank you, everyone, for bearing with me on this. I ask for your support of the amendment.

The Deputy Chair: Hon. members, this will be known as amendment A1.

Are there any others who wish to speak on the amendment?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

The Deputy Chair: We'll continue with the debate in Committee of the Whole. Are there any other members who wish to speak?

I'll recognize the Member for Livingstone-Macleod.

Mr. Stier: Thank you, Madam Chairman. Good afternoon to everybody. It's my opportunity here at this time to speak to Bill 27, Flood Recovery and Reconstruction Act, and we have a few

points to raise with regard to the bill itself. We are proposing amendments to this, and hopefully they'll be coming forward shortly.

Just a few things. I want to go back in time a little bit for myself. For those members that may not be aware, I have lived along the Bow River all of my life on our property just south of Calgary, and I've seen an awful lot of flooding in my time and experienced various states of flooding from the late '50s right through until the current day. Every year it's a different situation that we're faced with and a different impact in a different location, as we all know. Certainly, there's been an awful lot of talk in the past few months since we had the most recent event, especially in southern Alberta, where I'm from, regarding flooding and the damages that are caused by flooding and what we can do to protect homeowners' interests and so on.

This act seems to be an act that they are going to try to push through to, I guess, put into legislation what they were trying to do this summer with caveats and so on and so forth. Many of these solutions are things that a lot of people probably wouldn't be that much against, I suppose, but certainly there are some things, I think, that need quite a bit of review.

3:50

It seems that this bill, particularly, Bill 27, has got an awful lot of power grab by the minister in what is written here. Many of these things may or may not be warranted, in our view. Many of the powers granted seem to include what the mitigation measures done should be and how they should be reimbursed for those measures. It seems to talk about powers granted for the filing of caveats on floodway properties that have received DRP and conditional caveats on flood fringes. It talks a lot about determining what is a floodway and what development can be allowed in a floodway and what cannot. It talks about exempting certain municipalities from floodway regulations. Yet they are basing a lot of this type of legislation that they want to put through, as we've heard earlier today from the member from the glorious riding of Edmonton-Centre.

Ms Blakeman: Fabulous.

Mr. Stier: Fabulous.

They're basing the actions they intend to take on faulty maps. They're not taking future mitigation into account. Therefore, communities and individuals might be treated very unfairly if regulations are adopted before sorting that out. I can't tell you how often I've seen that very situation, where flooding has taken place, gravel deposits are laid everywhere, the new flood event comes along the following year, and like a billiard table, Oldman River comes along and knocks the heck out of another area.

So how can we base what we are going to be doing in terms of mitigation? How can we base what we're doing in terms of these caveats that are being proposed without having the actual data for what the current situation is in any location along one of these stream beds? Well, we can't. We have to have the correct data. There are just no two ways about it.

Certainly, we need to look at what is contained in this new bill and look particularly in terms of items under 693.1(1), as an example, development in floodways, and review what is in there and try to understand how we can take some of the actions that are listed there without having flood data.

Certainly, I know, after looking at the information that was displayed at the flood symposium, that some areas certainly have had a relook, and they have flown some lidar aircraft over and tried to get some more data, but certainly we need to ensure that if

we're going to get the data, we can make use of it. It doesn't mention anything about recent mapping in here, and I think that's something we need to do.

As well, I'd like to talk a little bit about some of the sweeping power that the minister seems to want to have here, to override the MGA entirely if there appears to be an emergency. In 615.1, on page 2, it talks about how they're going to give sweeping power there. Municipalities can have parts of the MGA modified, municipalities can be exempted from parts of the MGA, and municipalities can be given powers beyond the MGA. We have to be looking at that and wondering: why is all of that necessary? How and in what situation will it be necessary?

As well, there's a proposal to extend the provincial control of the local state of emergency from 14 to 28 days; 28 days would still not make that much of a difference in places like High River. We're reviewing this and looking at perhaps suggesting modifications to that. Who is going to make those decisions, and why not let the local authority decide if that is what it needs? So we certainly have some comments that we are going to raise about that.

Bill 27 adds powers to the cabinet and the minister with respect to defining floodways; controlling, regulating, and prohibiting development in floodways; exempting municipalities from the definition; and forcing municipalities to amend their land-use bylaws because of all this. It also lengthens the state of the emergency period and provides a framework for funding reimbursement.

So we're just thinking that these powers, giving the government that kind of control, using old maps, and not taking future mitigation into account is just not the way that we should be looking at this.

I would, therefore, like to now consider the balance of my little presentation if I could here, ladies and gentlemen. Allowing the cabinet to designate what is and isn't a floodway and looking at that without considering or getting input from the local municipality and the emergency personnel there, again, doesn't seem to be the way to go. We need to ensure that they are involved in all steps. This perceived unrestricted power that the minister is going to have seems to be an awful lot of power without a lot of forethought.

We're going to be having a couple of other speakers on this, I think, in the next few moments. With that, I'm going to be concluding my remarks, Madam Chairman, giving up my time at this moment. Thank you.

The Deputy Chair: Thank you, hon. member.

I'd like to recognize the Member for Edmonton-Centre.

Ms Blakeman: Thanks very much, Madam Chair. The next amendment to this bill I'd like to put on the floor has already been sent to the table.

The Deputy Chair: Hon. member, we'll recognize this as amendment A2, and we'll pause for a moment while we distribute the copies of the amendment to the members.

Hon. member, you may proceed.

Ms Blakeman: Thanks very much, Madam Chair. This second amendment that I'm doing is actually attempting to modify the same section. On page 3 of the bill section 2(3) is modifying and actually inserting a new section, 693.1(1), and under that (d): "defining, or respecting the meaning of, 'floodway' for the purposes of this section and the regulations made under this subsection."

Now, this was the one I found very odd because a floodway is not defined in the definition section, which is what I would usually expect to see in a bill. Following the preamble in a bill, generally speaking, you get the definitions so everyone is clear on what you're talking about when you see those words used in the rest of the bill, and that didn't happen in this amending bill.

Then you get to this part, section 2(3), which is inserting this whole new piece in which they say that they are going to define it under regs, and I just found the timing of this really odd because we're supposed to pass a bill in which the definition that we need to understand what's being talked about in the bill is going to come later under regulations, and we don't know when or who's doing them or when we're going to see them or anything. I think this also creates a great deal of uncertainty for people that are already living in homes with floodways. Now, I know that in other parts, it does say that this will not affect people that are already in certain flood plains. Given the uncertainty around the definitions and the timing around this, I think it's more important that we pull this out of regs. We should have a very clear definition of this before. I'm very unhappy with the ad hoc nature of it. I think there should be an agreed-upon definition, perhaps as part of this bill.

4:00

I'm sure the government can bring in government amendments in the same way that they have gone to the effort of defining disaster and emergency in the front section. There you have it. Right in the very beginning of this bill, the first couple of sections, they define disaster, and they define emergency. They really should have defined floodway in there and not left it for later in the bill to be done under regs in a very ad hoc way, because it really allows them to change what they're doing and change it more than once.

That's what I've done with this particular amendment, and I would ask for the support of the House on this amendment. Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any other members that wish to speak on amendment A2? The hon. Member for Drumheller-Stettler.

Mr. Strankman: Thanks, Madam Chairwoman. I'd like to speak to this amendment from the member from fabulous Edmonton-Centre. In the constituency of Drumheller-Stettler we had a different situation this year with the nonevent of the flood that took place in Drumheller. Because there had been mitigation that took place, as a result of that mitigation the events of the flooding of this season in Drumheller were not as, if I could use the bold word, sexy in relation to the media's reporting on the nonevent in Drumheller.

My concern is that the floodway mapping and the flood-fringe mapping are not necessarily accurate as a result of some of the mitigation that takes place. We had heard a member opposite talk about the issues of a simple fence being put in the way of the flood waters or a berm being put in the way of the flood waters, and as the water rises in an irregular occurrence like we had this summer, the floodway can be changed or significantly altered. This is an ongoing situation that needs to be addressed and rectified so that accurate mapping is done.

I have concerns that maybe in the past process of the floodway mapping it may have been someone using a Crayola crayon for designating that floodway. Now, the members opposite and the government say that this was done with great accuracy, but the people on the ground, the people in the areas feel that that was not accurate. My counterpart in Rimbey-Rocky Mountain House-

Sundre made mention that the river channel had actually changed itself by one mile, so that's a significant change to the flood pattern of the river. Therefore, there needs to be accurate mapping to accurately designate the floodway.

I will relinquish my position here to others who may wish to speak on this matter.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Cardston-Taber-Warner.

Mr. Bikman: Thank you, Madam Chair. I'm pleased to be able to rise and speak on this occasion to the amendment on Bill 27, Flood Recovery and Reconstruction Act. The amendment proposes deleting clause (d): "Defining, or respecting the meaning of, 'floodway' for the purposes of this section and the regulations made under this subsection." We all know that to have effective legislation, its intent needs to be clear, including the definitions of the terms that we use. This doesn't seem to be the case.

We applaud the government's efforts to hurry up and get proper legislation in as a result of the problems that have been created because of the flood. There have been tragic problems, as it turns out, and we're very concerned about them, of course. It's often the case that government tends to react. There is a Latin phrase, *post bellum auxilium*, which was used in ancient times to describe politicians and generals who would hear warnings of danger and refuse to provide troops, and then upon hearing that their posts had been attacked and overrun by the enemy, they would angrily and publicly gather troops and send them. The troops would arrive at empty battlefields too late to do anything, which should have been obvious since the politicians didn't even send them to the battles until they were over.

We're concerned about actions that are reactions to things that could have been prevented in the first place. We had ample warning because the government in its previous iterations in 2006 had the foresight to say: let's analyze what's happened and see what can be done to prevent it and see what needs to be done now to rectify this. Some of that rectification hasn't happened, unfortunately. Much of it remains undone to this day. As a result, we see the very expensive remediation efforts that are required. Every time an event occurs, then we try to hurry up and put things in place to correct what's already happened rather than prevent what may happen in the future. That's what makes events surprising. They keep relying on experts' best attempts to predict and forecast, but they're reacting after the fact.

Nassim Nicholas Taleb wrote that intelligence analysts and economists fail to forecast most major world change because these events are unpredictable. Well, I submit that the weather also can be unpredictable and that probabilities are not scientifically measurable. This is one of the real weaknesses of most modern governments, and it seems to be true of our own. Governments focus on prediction. Then when they are surprised, they blame the experts for not forecasting effectively, and they rally to create regulations and policies designed to anticipate and prevent events that have already happened. What they don't do is create what Taleb calls real resilience, or the ability to withstand surprises.

We act like we're surprised in a community that has had a history of the river overflowing its banks. We knew it could be done. This wasn't new ground. We weren't being asked to reinvent the wheel. There were things that could be done and should have been done but weren't done, and now we're reaping the consequence of that as taxpayers in Alberta.

This legislation needs to occur, but we want to make sure that it's done in the right way, and this amendment that has been proposed and those that will be coming forward fit in precisely

with what the opposition's job is, which is to oppose inappropriate legislation, to propose amendments that will strengthen the legislation, and help it achieve its stated purpose. This doesn't seem to be complete in terms of doing that. I hope that we will consider these amendments and the strength that they will bring to the bill, the real meaning that they will provide the bill, and help it achieve its desired purpose.

With that, I will sit down and give up the floor to someone else.

The Deputy Chair: Thank you, hon. member.

Are there any other members who wish to speak to amendment A2 at this time? The hon. Member for Livingstone-Macleod.

Mr. Stier: Well, thank you, Madam Chairman. It's my pleasure to speak here at length a little bit longer on some of the facts that I missed earlier when I was speaking with respect to the flooding situation this summer. Also, I have an amendment that I'm going to be entering into the fray as well.

Ladies and gentlemen and members, I just wanted to talk a little bit more about what has happened in the past few months that brings us here today with the situation that we're in, where we're looking over a new act and amendments to the Emergency Management Act and the MGA to finally respond to the flooding difficulties we've had over the past number of years and decades.

I can tell you, from my own perspective, that in my riding I had flooding in the communities of Turner Valley, Black Diamond, Millarville, Priddis, all the areas up in the north. We had more flooding than we've ever seen in some of those areas, as a matter of fact. We've had an awful lot of flooding in my regions further to the south, including the Crowsnest Pass and down into Fort Macleod and to some of the other regions in the deep south off the Oldman reservoir. It certainly affected us all in a very dramatic way in the south of the province.

Nonetheless, we're going to be looking at an amendment here, Madam Chairman, and I'm going to be talking about that.

4:10

The Deputy Chair: Hon. member, excuse me. I hate to interrupt, but we are speaking on amendment A2, so we have to finish the discussion on A2.

Mr. Stier: My apologies. I thought we were finished.

The Deputy Chair: That's okay. Do you have anything else you'd like to say about A2?

Mr. Stier: No. I'm fine. Thank you.

The Deputy Chair: Thank you, hon. member.

Are there any others who would like to speak on amendment A2 to Bill 27?

Seeing none, I'll call the question.

[Motion on amendment A2 lost]

The Deputy Chair: Now we're back to Committee of the Whole on Bill 27.

You'd like to speak in Committee of the Whole, hon. member? The hon. Member for Livingstone-Macleod.

Mr. Stier: Thank you, Madam Chairman. My apologies for my earlier faults.

Anyway, I would like to introduce an amendment myself with respect to this act, and I have sufficient copies here. I'll have these ready for the page.

The Deputy Chair: This will be known as amendment A3, and we'll pause for a moment while we have the copies distributed to the members.

Hon. member, if you would like to proceed with amendment A3.

Mr. Stier: Yes. Thank you, Madam Chairman. What we've got here is an amendment to section 1(2) on page 1 of the act. It's regarding the Emergency Management Act, and I'll just read that if I may: to move that Bill 27, Flood Recovery and Reconstruction Act, be amended in section 1(2) in the proposed clause (c.1)(i) by adding "which must be based on flood fringe and floodway area maps updated after the most recent flood event" after "reimbursement of costs."

Once again, we're back into our arguments that we've been providing throughout the summer on this matter, and we're talking about how the decisions for mitigation and for planning in the future, for reimbursements for damage, et cetera, et cetera, must be based on up-to-date mapping. There was a lot of talk in the past few months about whether this mapping is up to date and necessary and so on and so forth, and I can tell you, as I alluded to earlier, having lived along a river all of my life, rivers change almost every year to some degree or another. This is a very, very, very crucial part of this planning matter, and this amendment will, I think, address that very situation.

It's critical that we have these new maps so we can establish the new floodways and the flood-fringe areas. How can we do otherwise? The change in the rivers and the flows in the landscape are changing these on an annual basis, and it's just critical that we have this. There are man-made developments, often as not, along bridges, berms, et cetera, that have to be taken into account, and these things are altered every year. Whether there's been armouring along the banks and so on and so forth in the past, these have to be taken into account.

We're just not confident that the floodway information that they have currently in most of these areas is adequate at this time. We think that we need to have factored into this equation some of the most up-to-date and reliable information we can so we can ensure that if someone has property in a floodway or a flood fringe, they are not going to be judged inappropriately in their situations. We have had, as I've said, in some of these towns in my area a dramatic amount of change and a dramatic amount of damage. Of course, in the city of Calgary we had enormous amounts of damage.

Madam Chairman, with that, I'd like to have members speak to this. I'm looking for support as much as possible if we can. I think this is the right way to go and the only way to go to ensure that we're treating people fairly and we have the good data that we need to do so.

Thank you very much.

The Deputy Chair: Thank you, hon. member.

Are there any other members who wish to speak on amendment A3? The hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Madam Chair. I'm pleased to support this amendment today that the hon. Member for Livingstone-Macleod is referencing here. It can't be said enough times how important it is to have the flood maps actually correct before we start going through this process. The Minister of Municipal Affairs, you know, stated today that he's working hard to do that. It seemed that he was willing to have that discussion about how important those flood maps really are. But we know that if we start right now by discussing what a flood fringe is, a flood zone, what that looks like, then we're starting off in the wrong place.

We're starting off in a place of error rather than starting off in a place where it's correct.

The reality of it is that so many of our areas were affected dramatically by this flood. As we know, this was one in a hundred years or one in a thousand years. I mean, it was just so dramatic and so, so devastating to so many areas. We also know that it has changed paths. We heard the Leader of the Official Opposition and Member for Highwood today talk about how Hampton Hills was not in a floodway or a flood zone at all but was one of the areas that was completely flooded for a very long time. We also know that the area of Beachwood, which she referenced, was flooded but for a different reason. Again, the municipality is trying to work with them to bring it back to normal.

The Deputy Chair: Hon. member, I hesitate to interrupt. Hon. members, the noise level is getting a little greater than it should be. Can you please have respect for the person speaking? If you have to have a louder conversation, could you take it outside? Thanks very much.

Please continue.

Mrs. Towle: Thank you, Madam Chair. I think also that what is important about this amendment is that it reads:

Mr. Stier to move that Bill 27, Flood Recovery and Reconstruction Act, be amended in section 1(2) in the proposed clause (c.1)(i) by adding "which must be based on flood fringe and floodway area maps updated after the most recent flood event" after "reimbursement of costs."

That's important because we need to talk about those costs and the reality of them, and we need to make sure that we're doing everything in our power to make sure that those flood maps are accurate, they're appropriate, and they're actually reflective of exactly what has happened. And we need to make sure that it happens after – after – the reimbursement of costs.

I look forward to hearing from other members in the House with regard to this amendment or even members from the government side and how they feel about the amendment.

Thank you.

The Deputy Chair: Thank you, hon. member.

Is there anyone else who wishes to speak on amendment A3? The hon. Member for Cardston-Taber-Warner.

4:20

Mr. Bikman: Thank you, Madam Chair. Again, it's my privilege to speak to help us create the best possible legislation that will serve our constituents in these affected areas and areas that haven't yet been affected but that may in the future suffer the impacts that the flooded areas this past summer endured. We certainly don't want that to happen. I can't imagine that anybody would dispute the critical nature of having accurate data about the floodways, the flood plains, and appropriate, current, and up-to-date flood mapping. We can't make good decisions without that, and we're talking about making very important decisions, decisions that will impact many, many lives and many people's investments. It's incumbent upon us in this Legislature as MLAs to make the best possible decisions.

To do that, we need to see that this legislation is complete and it's accurate and includes clauses that will require the effort and expense to get it right the first time. As we can see from the costs that we're now facing to do it over again, it would have been cheaper to do it right the first time. I think that there's a proverb from the Middle East that talks about building not on sandy soil but on solid rock, on a good foundation. Well, it's the same for legislation. The decisions that will flow out of this legislation will

only be as good as the foundation principles that we enshrine right now into the legislation.

I believe that the hon. Member for Livingstone-Macleod has brought up a very valid point, that we must insist that the appropriate floodway mapping exists and is being used to make critical and important decisions that will have a serious influence and impact on many decisions going forward, not just where we build or where we invest or where we can remain but perhaps even used to of course prevent future costly events that will result in loss of property or, perhaps even as has occurred in the recent past, the tragic loss of five lives.

I'm sure that people, particularly young children but many people, are fragile emotionally when they lose their valuables. Many memories were lost in this flood. Many photos and other things that are keepsakes, reminders, memorabilia from special events that have occurred in their lives were lost. Naturally, the government wants to help avoid this tragedy, but again we can't knee-jerk in our haste to do this. We need to make sure that we take the time to soberly do the right things.

I hope that you will give very serious consideration to the benefit that this amendment, this friendly amendment, brings; the impact and the benefit that it will have on the investments that people make; the decisions about where to live that they will make; and their ability to preserve the value of their investments and preserve their quality of life. This is an important amendment. It's not frivolous. It's not presented to extend debate. It's made with the sincerest belief that it will strengthen the government's attempt to create good legislation that will serve us for many years into the future. Again, that must be done, must be based on sound science, on the soundest of accuracy, the updated nature, the current nature, the accuracy of the flood mapping.

With that, I'll allow other people to express their support for this.

The Deputy Chair: Thank you, hon. member.

Are there any others who wish to speak on amendment A3? The hon. Member for Olds-Didsbury-Three Hills.

Mr. Rowe: Thank you, Madam Chair, and thank you to my colleagues. I'm pleased to stand and speak in support of this amendment. It seems to me that we're putting the horse before the cart here. How we can possibly move forward without current, up-to-date mapping and defined areas is hard to fathom, actually.

If I could, I would like to just go back to the 2005 flood event that happened and a report that came out in 2006 regarding that event. I believe there were 18 points in that report, and I think that 15 of those points – I'm pretty sure the number was 15 – were specifically related to flood mapping, and absolutely nothing was done until now. We still don't have current, up-to-date flood mapping so that we can make the kinds of decisions that are going to affect many, many homeowners.

I think what needs to be stated here, and it hasn't been yet, is that we're talking about the average Albertan's biggest investment they will ever make in their life: their home. And we're messing with that, folks. We're messing with it severely. We need to be very, very careful how this is handled. To even think of putting caveats on homes when we don't have any current flood mapping is absurd, in my opinion. It's not fair to those people who have been displaced and hurt enough in this latest incident.

I found the mitigation meeting in Calgary to be very interesting. To be honest, kudos to those who put those ideas forward on mitigation. They're very well done. They make a lot of sense. Some of them are a little over the top like the tunnel under the city of Calgary. But, hey, engineers say that it can be done and it will

work, so let's just get off our butts and do it. Let's make this happen.

After that event I spoke with – I hope I get this right – the associate minister of recovery and reconstruction for High River. I think he's going to have to get a bigger business card. My concern with this mitigation information that we received at that meeting was that it made so much sense that now people are going to step back and say: "Well, gee. If they do all this, maybe I can rebuild where I am, and I'll be all right after that. Or do I take the money and run?" Now, those people are going to have to make that decision, or at least make an application by November 30. My question would be: what's the hurry? If we're going to put these mitigation measures in place, why are we pushing these people to make decisions that could be life-altering for them? I think we really need to rethink that November 30 date.

To get back to this particular amendment, it makes a lot of sense. Again, let's take a step back. Let's look at what we're doing. Let's make the right decisions at the right time for these people who have been displaced and are at their wits' end right now.

With that, I'll pass off to one of my colleagues or someone else. Thank you very much.

The Deputy Chair: Thank you, hon. member.

Mr. Pedersen: Madam Chair, I appreciate the opportunity to stand and speak in favour of this amendment. Being from Medicine Hat, obviously floods in Alberta always tend to have a huge impact on us in the south, especially when we're the last major city that sits on the South Saskatchewan River. It doesn't really matter which part of the foothills or the Rockies in the southern part of Alberta the water falls or if the moisture comes from snow; we get the accumulated effect of all that water coming down the river. So it's important that we actually do look at what is a floodway and what that definition looks like after the most recent flood events took place.

It's also important to know that Medicine Hat, because we're last, has been faced with a number of floods over the past number of years. We don't have the luxury of waiting, and it's a bit of a quandary for us. We do know that we need to have some mitigation efforts done upstream because whatever happens upstream is going to have an effect on what happens to the water flow downstream. Again, because we can't wait, we have to take measures into our own hands.

There are some things that have been mentioned in and around Medicine Hat and at the flood symposium. One of those things is dam management and water management through those companies, whether they be private companies, large corporations, or something owned by a landowner. There has to be some co-ordination between all of these people to show that there is a concerted and cumulative effect of people working together for the safety of those downstream. I think that's one of the things that we all have to understand. What happens above, you know, in the upstream areas, has an impact downstream. We need to be aware that what we do could have a negative impact downstream. We're definitely evidence of that.

4:30

Dam management is one of the things that has been mentioned quite heavily in Medicine Hat. We have concerns that maybe there is not a whole lot of communication between all dam owners and operators, so hopefully that's part and parcel of deciding, you know, how we move forward here.

Also, off-site storage. When you're talking about controlling water, identifying floodways and how you're going to move

forward with that, there are huge opportunities to work along the South Saskatchewan River itself to divert water into off-site storage. What would happen is that water would be diverted from the river and go into these off-site storage areas. As that allows water to exit from the river, it reduces the volume and the speed of flow. Then as the water level and flow reduce in the river, there would be a reverse flow back from the off-site storage, allowing it to flow back into the river. You'd have this easing effect which would help reduce the damaging effects that would actually impact Medicine Hat.

There are other areas that you can work with as well with diversion tactics. There are opportunities to actually divert water to other areas. Sometimes maybe that would be taking water into areas that would flood easily. It might take a little bit of groundwork and engineering, but in terms of identifying what floodway and flood fringe are, you would find low spots, you would find areas that are easily manipulated through groundwork, and you could use the natural topography of the area around the river to actually reduce the effects of water coming downstream. That's an important fact as well.

In Medicine Hat I know that there has been quite a bit of debate amongst locals as well as city council members past and those currently elected to the new council. Again, because we are the last major city, we get the water flow that comes down through all of the rivers and tributaries in the upstream area, and if mitigation isn't done upstream, if floodways and flood fringes aren't properly identified upstream, it doesn't matter; the water comes to us anyway. So we're dealt the tough decision: do we actually take action now to protect ourselves before mitigation is done upstream? It's to the point now that after many, many floods after many, many years we do have to.

Every time we get flooded, the damage seems to be worse, the cost of recovery seems to be greater, and it's a huge inconvenience for individuals. We had to displace about 20 per cent of our city during this last flood. It impacted about 3,000 homes and 10,000 people. If we had some mitigation efforts in place, we might have been able to reduce that or even eliminate the need to have people evacuate and, you know, upset their homes and their lives and cause upheaval.

So we're looking at doing berms and dikes, and the discussion around that in the floodway is: do you do permanent, or do you do temporary? We've had proposals on both, and that is going to be one of the decisions that our city council is going to have to undertake. Where do they want to put their money? Do they want to go permanent? Do they want to go temporary, something that's going to be removable? Or can they build something permanent into the infrastructure around the river? They can do walking pathways. They can set it up for infrastructure so that you can actually develop it commercially. You could do cafeterias and coffee shops. So there are opportunities to take this infrastructure and turn it into, actually, a bit of a money-making venture.

The problem that we face in Medicine Hat is waiting for these decisions to be made on: what is a floodway and a flood plain and a flood fringe? We do not have the ability to wait much longer. That's where we're going to be headed, down that path, in Medicine Hat with some tough council decisions. It is imperative that we have this good groundwork done so that we know what we're dealing with upstream the next time we have a flood.

Thank you very much.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Calgary-Shaw on amendment A3.

Mr. Wilson: Yes. Thank you, Madam Chair. I appreciate the opportunity to rise in support of this amendment. I believe that this amendment really is a critical piece to this bill. Quite frankly, I'm a little surprised that the government hasn't offered a single reaction, positive or otherwise, to this amendment.

You know, we're talking about the largest natural disaster in Canadian history. We're talking about putting caveats on homes, and we're doing it in a way that seems to be, to use some of the words that have been used in question period by our colleagues across, willy-nilly with the flood maps. Some of them haven't been updated in 20 years. Everyone who recognizes the science around the engineering of flood maps knows that a flood map will change or a river will change after a flood event, yet we're asking people to accept the consequences of flood maps that are decades old, that weren't updated after '97, that weren't updated after 2005, and that haven't been updated after this most recent event. It defies logic, Madam Chair, that we would be asking Albertans to consent to these laws as they are currently written, without understanding that we're going to be dealing with maps that are changing.

Moving forward, if we have another flood event, one would think, one would hope that we would be in a position where we could turn to Alberta taxpayers and say: we're going to update the maps again before we come around and tell you whether or not you're now going to be in a floodway or a flood fringe or if you're going to be covered or if you're not or if this is a one-time-only deal for you. It doesn't make much sense.

This amendment will ensure that decisions are based on current flood mapping. Again, we see not even a response coming from the government side around this. I would ask the members opposite to just merely consider that you were one of the individuals who owned property along these flood fringes and these floodways and that these maps hadn't been updated and you were being told one way or the other that if you were going to receive DRP funding, that this would be your one-and-only chance and that you would have a caveat placed on your land title based on a map that may or may not even be accurate anymore. Does that not seem just a tad ridiculous to anyone opposite?

This is a pretty big deal for most people. One would think that, if anything, anything at all, you'd just want to get it right. Apparently, that doesn't seem to be the case. We just want to get it passed. I don't know really what to say, Madam Chair. I kind of throw up my hands. We don't even have anyone from Municipal Affairs who seems to want to even address this. You know, I congratulate the side opposite for being passionate and caring about bills that are important to Albertans.

Thank you.

The Deputy Chair: Thank you, hon. member.

Is there anyone else that wishes to speak on amendment A3?

Mr. Mason: I'm happy to speak to amendment A3. A3 is very simple. It says that you have to have up-to-date flood maps. That means updating them after every flood. Courses of rivers change. Banks erode. You know, the situation changes. I think that had this been done before, which was recommended in 2006 in the report of a former member of the House, George Groeneveld, after similar floods, we would have had to pay far less in terms of compensation – obviously, you can't prevent these kinds of floods from happening even if you spend billions of dollars on flood mitigation with dams and weirs and bypasses and giant sewers and all of that engineering approach to this – and we would have had far less suffering on the part of people.

4:40

I was on a tour of High River a few weeks ago. I was there on the day that it flooded as well, although I obviously didn't stay very long. I was amazed at how much damage is still there to be cleaned up and that hundreds of people are still living in what you would have to call a camp at the old magnesium plant just outside of town.

There were good recommendations in former Member Groeneveld's report: that there should be updated maps, that they should be made accessible to the public, and that limitations on development in flood plains should be imposed. The government, of course, ignored all of those things. They have some flood maps, but they're only updating them very slowly, and nothing changed in terms of the rate of updating after that report. Basically, they ignored the report, and I think that Albertans have paid a price and the public treasury has paid a price.

I think this is an excellent amendment. Frankly, it's common sense. It requires the government to do its job. Maybe the government doesn't want to be required to do its job, but I think Albertans would like the government to do its job. Based on recent experience I think that the government would be wise to do its job and to pass an amendment to a bill that requires it to do its job; otherwise, what are they doing there? I think it's as simple as that, Madam Chair.

I would urge all of my colleagues to support this excellent amendment, that I think just makes very, very good sense. I wish that this amendment, or this change to the act, had been in place before the last flood because I think a lot of people would have suffered a lot less financially and emotionally as well.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. member.

Is there anyone else wishing to speak on amendment A3? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Madam Chair. You actually looked in the other direction. That was pretty good. It threw me right off. I rise in support of this amendment. What I don't understand – I get the sense that the government is not supportive; I haven't heard anyone support it. The amendment requires that we base this on the flood fringe and floodway area maps updated after the most recent flood, and that's significant.

Now, a member just mentioned briefly to me that a floodway doesn't change much, but I can tell you, depending on your definition of floodway, that on the upriver side of Sundre the floodway has actually moved over a mile. So I can tell you that has changed a lot and that that has significantly changed the way the next flood is going to happen. It's significant in many aspects. What's missing here are not just the communities. We seem to be focused on the communities because, of course, that's where the damage would be calculated. But we have to be looking at the flood mapping upriver in a preventative way.

I'm going to give an example. Without any documentation to prove otherwise, we know that there is logging going on up in the mountains, particularly just outside of the Banff national park area. Those are the headwaters of the Red Deer River. Now, what we know about that logging is that it is significant up in that high country. The last flood – actually, it was the second-to-last flood, which was barely a year ago, so it would have been the 2012 flood in Sundre. The speed and volume of the water that came down in such a short period of time was what caused that pipe to break. It actually gouged out a new channel, deep enough to compromise an existing pipeline, and as many members would remember, we had an oil leak into the Red Deer River.

Now, what we know about that is that the runoff is normally absorbed into the forest or into the watershed. With the watershed disturbed, that water goes into the river faster; it goes into the channels faster. This is not science. This is straight physics in many ways. But with the volume of water that came down the Red Deer River, the speed at which the river rose and settled was significant. It was a record pace, and it caused a tremendous amount of damage.

So if we're mapping and we make accurate maps, we can better deal with the situation. What this is actually saying is that we're going to require that the mapping be accurate. That's a very simple way to describe this amendment. In other words, we're going to require that we use updated maps. That's logical. That makes sense. I haven't heard anything from the other side about why this would be a bad amendment. What is bad about having accurate flood maps? What is bad about updating the flood maps? We have to update them continuously.

One part of flood mitigation is the maintenance of flood mitigation, which is that we will need to dredge channels, we will need to construct berms, and we will need to construct spurs. That's all part of flood mitigation. The flood mitigation measures that we want to undertake may not necessarily happen right at the community level. It might be more beneficial, if we had accurate mapping, to put that flood mitigation further upriver. That might have the better cost-effectiveness of putting flood mitigation procedures in, and they might actually be more effective in preventing floods.

Of course, as you've heard from some of the people who have a lot of expertise in real estate, the whole concept of putting on caveats needs to be based on accurate flood mapping data. What happens if there is no caveat now, but then we discover there's going to be because we didn't have accurate flood mapping and things changed? How does compensation take place then for the investor, the homeowner, the property owner, whatever person that is investing or buying? There's nothing really listed out here for how we're going to deal with these issues, particularly if it's the direct result of inaccurate mapping. That's the key. That's the clue, that it would be the direct result of inaccurate mapping. So it seems logical that we would require accurate flood mapping. It only seems to make sense.

I can't see a downside in amending Bill 27, the Flood Recovery and Reconstruction Act, to make sure that we have accurate mapping, that it is required by statute, by law, that we do this, that we implement it. It gives, I guess, some credibility to the whole process when we require that.

So I definitely support the motion. We want the whole flood mitigation process to work, and the foundation for it to work has to be based on accurate mapping. No matter what argument you make on this bill, it all circles back to having accurate mapping. And that mapping is never permanent; it always has to be updated.

I'll be quite honest. If I'm going to be critical of the amendment: maybe not every flood because sometimes that doesn't necessarily cause a map to need to be updated. Just a high-water season can create a situation where you'd need to update the maps. There are other circumstances that happen, particularly when you get into what I call these flood plains. Actually, west of Sundre you might as well call it a gravel delta. It's extremely wide. One tree drops, and the channel of the river changes, and it grinds out a new channel without a flood even taking place.

4:50

Clearly, there are situations where the whole flood plain is now altered. We have situations where man-made alterations take place with the extraction of gravel. We have a lot of gravel pits in our

area. Once they start in this process, if all of a sudden the river moves over, boom, you now have a change in your flood mapping, and you did this without a flood. You did this without a flood. It changed the actual channel. It doesn't take long for a river to carve another channel. If you don't believe that, I will take anyone up the Red Deer River and show you how it happens, because the signs are over the place.

We know this exists. What it tells us is that the accuracy of the mapping is absolutely critical to getting the job done right. That's all it is. It's absolutely critical.

With that, I support this motion, and I'd ask members to at least keep an open mind and support this motion and vote for it.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Madam Chair. You know, again I want to echo the thoughts of my colleague from Rimbey-Rocky Mountain House-Sundre. I would just implore that, if no one else, at least the Member for Calgary-Bow has something to say about this; at least the Member for Banff-Cochrane must have something to say about this; at least the members from Fort McMurray must have something to say about this. This directly impacts your constituents. They voted to put you here so that you would be their voice. You have an opportunity to use it. Allow me to challenge you to do just that.

Thank you.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Banff-Cochrane.

Mr. Casey: Thank you, Madam Chairman. By the way, I was standing when you jumped up. Just so you know that it was you that cut me off so that I couldn't speak. Anyway, that's fine. I accept your apology.

I really won't take a lot of time here. I won't bother to give you my version of armchair expert. I think we've heard enough of that this afternoon anyway. What I will talk to is the amendment. I know it's out of character, but I will talk to the amendment. First of all, this applies to all of Alberta, not just southern Alberta, not just the affected areas. What is the most recent flood event that we're going to base our mapping on? The one in Fort McMurray? The one next year that's somewhere else? I mean, it's a ridiculous amendment. The most recent flood event. What is that? It's like saying: the most recent time that the wind blew. Where?

The next part is under (2)(c.1)(i), that talks about "prescribing or describing the measures to be taken to reduce or mitigate potential flood hazards." Okay. That's all it's talking to, a regulation that enables you to prescribe and describe measures to be taken to reduce mitigation potential. So if you want to do something around floodways and floodway mapping, this is absolutely the wrong place to do it.

The second part here under (ii) talks to "governing the procedures applicable to and the proof required for the reimbursement of costs." In fact, if you were going to propose an amendment like this, that's where it should be.

To me the amendment is worded wrong, and it's being recommended to be put in the wrong place. Therefore, I won't support it because it has no basis for support.

Thank you.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Madam Chair. This is the right place for this amendment, and it actually makes sense. I'm not sure there's a wrong place for this amendment, to be perfectly honest. The idea of accurate mapping applies everywhere across the bill. I'm not sure there's any bad spot to require accurate mapping.

But I will tell you that where it talks about prescribing and describing measures to be taken, that's the key. Measures to be taken based upon what? Accurate mapping. You can actually put "accurate mapping" or "updated mapping" in a number of different places in the bill, and it works absolutely fantastic in that sense on the applicability of getting the job done. That's absolutely essential, I think, to any type of flood mitigation process. As I stated earlier, understanding how to deal with or actually putting into effect what you want to do to mitigate future floods, to mitigate flood damage has to rely upon accurate data at all times. The problem with rivers is that they are a living ecosystem that does change. That does change.

It changes in the hon. member's riding. The community that he comes from has grown so fast and so quick. I remember going through that community – it seems like not too long ago – and just watching the buildings go up and how fast it grew. That changed that whole – just that one little microcosm of that river. Of course, we did see the damage from that because when that river came through this time, it washed out the backyards. Now it did tremendous damage. Those photos are readily available to show all of that. They were all part of this massive 2013 flood.

Clearly, dealing with rivers is not a simple task. I don't want to leave that interpretation out here. It can be complicated, and it can be tremendously expensive, but it still all comes back to accurate mapping.

As I said earlier, it may not be based on just the last flood because a flood by definition is not necessarily just high water, and a flood by definition is not the spring runoff. Anyone who understands rivers knows that you get this one simple – and Sundre is a perfect example, with the Red Deer River. I understand that river well, so I can use that as the example. One tree causes a natural dam, changes the direction of the flow, the direction of the current, which begins to carve a new channel. You have to understand that. And I call it a gravel delta for no other reason than it's about 20 miles wide. It's not one mile wide or a hundred yards wide. That river over the centuries has moved considerably and over just the last two years has moved over a mile.

Now, the difference over the centuries is that now we have millions and millions if not billions of dollars of capital and real estate investments and businesses that are now within range of these natural rivers. Without accurate mapping, how do we accurately deal with the problems at hand and put the proper flood mitigation measures in?

One of the things that I've been involved with in my community of Sundre is that we know we need berms and spurs. We, or at least a good part of the community, would like a dam somewhere where there is a place where we could retain water in a high runoff time. That is something that is not unanimous by any stretch of the imagination. There are others that do not want that. They don't want dams. But the fact is that it is part of the flood mitigation process.

The other thing is that they need maintenance. At different places along the river, as the gravel fills up the floodway or channel, you need to dredge that. That has to be dredged on a regular basis, whether it's once a year, twice a year, once every five years, whatever the science behind it dictates. It has to be done, and that would be a part of your mapping because your

mapping would also take into consideration the quantity of water and the speed of the flow, and that's significant.

Again, I would ask members to support this motion. This is a good spot, and there are multiple spots that require accurate mapping. Thank you very much.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Calgary-Bow.

Ms DeLong: Thank you very much, Madam Chair. I just wanted to say a few words. Essentially, there are two kinds of mitigation. There is the mitigation that is done to a house as it's being rebuilt. Now, this kind of mitigation is the kind of mitigation that you need done right away. The reason you need it done right away is because people are otherwise holding up their plans for their house, for their rebuilding, for what they would be doing with the whole decision-making in their private life. So it's really important that we move fast on this piece of it.

5:00

We could wait two years, three years to remap all of the rivers in southern Alberta, and we would be holding up these people in terms of how they mitigate their house. To have to wait for the new maps each time to be able to rebuild people's lives is just not reasonable. It just won't work. So that's why it's important that we move forward with the old maps.

On the other hand, there are also major mitigation projects. Those mitigation projects are ones that will be based on solid, recent research, recent analysis of the whole river. Those projects are projects that can be based upon the whole river and where that river has changed or might change in the future. So that kind of decision-making can be made over a little bit longer term, but to be able to stop – to stop – all of this rebuilding of people's homes while we wait for the rivers to be remapped is just not what the people, at least in my constituency, would like.

Thank you very much.

The Deputy Chair: Thank you, hon. member.

Mr. Anderson: Madam Chair, may I move, with the House's consent, that if there is a division, we shorten the bells to one minute?

The Deputy Chair: The hon. member has moved that we shorten the time between the bells to one minute.

[Unanimous consent denied]

The Deputy Chair: The hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Madam Chair. Again, I just want to respond to my hon. colleagues across, and I appreciate them standing up and at least having their voice. I may not necessarily agree with what they said, but I do respect them for having the courage to stand up and speak for their constituents.

I disagree with what the hon. Member for Calgary-Bow suggested, that by updating the flood maps, we would be withholding or stopping or delaying any of the rebuilding that's currently going on. I think that's, quite frankly, a rather erroneous assertion. What this is about is making sure that the constituents that are in Calgary-Bow along the Bow River are being asked whether or not they want a caveat placed on their title if they accept disaster relief funding or that, at least, if they're going to have to make that choice by the end of November, they do it based on up-to-date, correct information based on the most recent flood.

To the Member for Banff-Cochrane: I have a couple of suggestions. One, this government has no problem defining things in regulation, so if you want a definition for a flood event, throw it in regulation. If you want to talk about what a flood event means, perhaps go knock on some doors in Cochrane, and when a creek comes ripping through their backyard, see if that qualifies as a flood event or not. I would suggest that your constituents in both Cochrane and Exshaw would strongly agree that that is, in fact, a flood event and that perhaps if they're being asked to make a similar choice as to whether or not they're going to accept funding, they would like to at least have the proper maps.

But if you don't believe that that's the way that this should be done, then that's great. I invite you to stand up and, you know, vote against this amendment. It'll be yourselves that will have to defend it to the constituents that you represent. That's the way this works. Again, I appreciate you having the courage to stand up and speak to your convictions or what you at least believe that your constituents want, and I thank you for at least engaging in the debate, which is more than I can say for anyone else, including members who are actually associate ministers of this file.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Allen: Well, thank you, Madam Chair, and I'd like to start by thanking the hon. Member for Calgary-Shaw for acknowledging to the Legislative Assembly the importance of my riding of Fort McMurray-Wood Buffalo. Perhaps because he was absent last night, he may have just missed that I did stand up and speak to this bill.

Regarding this particular amendment, I appreciate the member bringing this amendment forward. I can understand the premise around what he's trying to achieve here; however, I'm still a big believer that this particular bill is a housekeeping bill which is intended to bring amendments to both the emergency act and the Municipal Government Act, and the place for these types of amendments and place for detail is going to be in the regulations themselves.

I believe that to bring this down as far as having a flood fringe based on most recent flood events – I'm no expert in flood mapping or what water levels are or even municipal land development itself, Madam Chair, but I am aware that they have two major terms, and they are the 40-year flood event and a 100-year flood event. This year's in Fort McMurray was determined to be a 100-year flood event. Our municipality in their development standards does have levels established in the flood zone that determine what is a 40-year and what is a 100-year.

I still believe that for us to have detail that is across the board, throughout the province, would be inappropriate. Leave that type of jurisdiction where it belongs, and that is with the municipalities and the emergency management folks that work for future floods. Future floods cannot always necessarily be based on what a recent flood was. I don't believe we'll have another flood like that for another 100 years.

Thank you, Madam Chair.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Calgary-Bow.

Ms DeLong: Thank you very much, Madam Chair. I just wanted to make sure that we didn't leave with that little piece of misinformation out there. November 30 is the time when people have to get their application in for the first time.

Mr. Wilson: They have to make a decision.

Ms DeLong: No, they don't have to make a decision. That is not true. They have to get that first application in and that application – even after they get a cheque, they are still not committed. They can even cash that cheque, and they are still not committed. They still have time to even cash that cheque and then pay the government back. The decision for actually doing this is way out there, okay? I know that there is some pressure on that November 30 for people to get their application in, and that is pretty scary for them because they think that they have to make that decision, but they don't. All they have to do is get that application in, and then they can decide after that. Once, finally, the DRP has responded to them and they've gotten all of the information, at that point they can make that decision, or still they can even put it off. But that decision point for them is not November 30. They've just got to get that application in. It doesn't even have to be complete. They don't have to have all of their insurance and all of that in. They've just got to get it in.

Thank you.

The Deputy Chair: Thank you.

The hon. Member for Edmonton-Highlands-Norwood.

5:10

Mr. Mason: Thank you very much, Madam Chair. I just wanted to respond very briefly to some of the comments I heard from the hon. Member for Banff-Cochrane, specifically that the amendment was not worthy of support because you can never decide what a flood event is. Well, Madam Chair, I think that doesn't make any sense to me. There obviously has to be a practical interpretation put on the wording if this becomes part of legislation as there has to be for all legislation. I can just off the top of my head provide a definition, and that is: any flood event that actually changes the floodable area, that changes the map needs to be mapped promptly.

We didn't have good maps for this flood, and many people bought homes and invested in areas that were very, very much in the way of flooding because of it, because things had changed. What the hon. member is saying, as I interpret it, is that we just don't have any reason to update our maps. That flies completely in the face of the disaster that we've just gone through. We need to update our maps whenever the flooding area is changed as a result of a natural event.

I think the implication of what he's suggesting is that we can continue to do what we've done. I mean, nobody has compelled the government to update flood maps, so they haven't updated flood maps. I'd like to ask the hon. member: how's that working for your constituents so far?

The Deputy Chair: Thank you, hon. member.

The hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Madam Chair. Don't sound so excited. First off, I just want to take an opportunity to correct an earlier statement as I was addressing the Member for Banff-Cochrane. It was the town of Canmore that I was referring to, not Cochrane, that had the river racing through their backyards.

To the Member for Calgary-Bow: again, I appreciate your comments about the November 30 deadline. I would challenge you, then, on a comment that you made earlier, which was that this had to be done right away because we have deadlines and we can't stop the process. If DRP has to receive just an application by November 30 and then they're going to make decisions after the fact, wouldn't it be nice for your constituents to just have accurate

flood maps when their decision point had to come, when that had to be made?

I see that you're not paying attention, and I don't much expect a response, but I just do believe that it would be incumbent upon this government to ensure that those flood maps are correct because they are asking hundreds . . .

The Deputy Chair: Hon. member, the last reference you made is not acceptable. Please refrain . . .

Mr. Wilson: Oh. I withdraw. I am sorry if saying that she wasn't paying attention is inappropriate. I'm happy to withdraw that comment.

The Deputy Chair: Thank you. [interjections]

Hon. members, the Member for Calgary-Shaw has the floor. He withdrew his comment.

You may proceed.

Mr. Wilson: Thank you. Again, I was not meaning to offend the precedents of this House. That was not my intention. I do apologize.

I would just like to, again, ask the member if she would respond. What was the rush that you were referring to earlier around getting this legislation passed if the application has to be in by November 30 and then decision points are following after? Why not have those accurate flood maps for the time in which the decision needs to be made?

Thank you.

The Deputy Chair: Thank you, hon. member.

Is there anyone else that wishes to speak?

Ms DeLong: I just wanted to let you know that doing the flood mapping is actually a major effort, okay? Essentially, you've got to take data points all the way across the river, and you've got to do it for hundreds of miles. It's major work that needs to be done, and it's not something that can be done in essentially a few months in regard to mitigating people's houses.

The other thing is that we need to always be working forward rather than back, and whatever is the real state right now is what people are making their decisions on when it comes to buying a new house or building a new house. Those kinds of decisions are based on: from here forward.

Now, anybody who is buying a house in Alberta now knows that there has been a flood, that the rivers have moved, so there is some sort of sensitivity out in the public right now to this. They do know that the rivers need to be remapped, and, yes, it does need to be done as soon as possible. You won't get any argument from me in terms of getting it done, but in terms of getting the money out to the people and their being able to make those decisions as to how they're going to move forward with their lives, that's got to be based on data that's already there. It's got to be based on the maps that are already there, rather than the new maps that will be developed.

Thank you.

The Deputy Chair: Thank you, hon. member.

Is there anyone else wishing to speak on amendment A3? The hon. Member for Calgary-Shaw.

Mr. Wilson: Thank you, Madam Chair. Final question. Member for Calgary-Bow, if you accept that the data is currently wrong, based on your last statement that the rivers and the floodways

have changed, why are you suggesting that we do not remap these floodways?

Ms DeLong: It isn't that the maps were wrong; it's that the rivers change, okay? The rivers change. The thing is that those flood lines were pretty well exactly right. It's only my part of the river that I know. For that part of the river those maps were pretty well exactly right, within inches. Okay? This flood event was not a hundred-year flood. Simply that. It was not a hundred-year flood. It was much more than a hundred-year flood. Yes, it did flood, and yes, there was a floodway, but the bottom line is that we just need to move ahead. We don't need to move back to find out what the map used to be. All we need to do is move ahead. So we use the current data; we move ahead with the current data. In the meantime, yes – absolutely yes – those rivers need to be re-evaluated and redrawn. They have changed. We are very aware of that. We are working on that.

The Deputy Chair: Thank you, hon. member.

Are there any other members who wish to speak on amendment A3? The hon. Member for Airdrie.

Mr. Anderson: So what you're saying is that the maps that are currently in existence right now were not wrong. It's just that the flooded river changed. Therefore, we need to go forward with the information that we have at our disposal and create new maps that reflect that change. Is that what's being said here?

The Deputy Chair: Thank you, hon. member.

Are there any others who wish to speak on amendment A3? The hon. Member for Cardston-Taber-Warner.

Mr. Bikman: Thank you, Madam Chair. I thought I made myself clear when I spoke earlier, but clearly everybody has their own point of view.

I must counsel and encourage that this isn't Jonestown. Don't drink the Kool-Aid. It isn't Reverend Jones that's telling you to do that. You've got to listen and think independently. You've got to realize that we're operating from a paradigm that does not reflect reality. Who here would go on a trip with an outdated map? Who here would take a map and say, "I have to get somewhere with this map, but I'm in Calgary and I'm trying to use a map of Edmonton." You won't get there. We're arguing from a paradigm that makes absolutely no sense at all. You can't make decisions going forward with an old map that's going to lead you back the same old way. Keep doing the same things and expect different results: that's one definition of insanity. I know that you're not insane. I know that you're bright people.

Mr. Denis: Thanks for that.

Mr. Bikman: Well, I had to let you know that I realize it, evidence occasionally to the contrary and all too frequently, I might add.

This is a chance to do the right thing, to start from the right point, to build what needs to be done. "Mitigate" is the right word. We want to reduce the expense going forward of having this happen again. The fact that it has happened again several times without the proper steps being taken is an indication that we ain't learning from the past, so we're repeating it. Don't let us repeat that. Have the courage to stand. Represent your constituents. Represent the taxpayers of Alberta by seeing that this is done properly. We have the opportunity. Seize the day. Carpe diem. Let's do the right thing.

The Deputy Chair: Thank you, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Madam Chair. The first point I want to make to the hon. member from Calgary is that this is not just Calgary. This applies provincially. I will say that the community of Sundre since 2005 has had three 100-year floods. This idea that it's a hundred-year flood seems to have lost its significance if we're having three hundred-year floods in a five-year period. That doesn't make sense.

5:20

Clearly, there are some issues here, but it doesn't take away from the fact that accurate mapping is absolutely essential. To say that in one area it didn't change but by an inch but I can show that in another area it's changed by more than a mile – and that's mapped locally – that's significant. Where else has it changed, particularly in the headwaters? We can't just focus on where people want to put their homes because what happens in the headwaters is going to affect what's going to happen downriver. As the members for Medicine-Hat and Drumheller-Stettler have already said, they're further downriver. It is all about the entire basin, from the headwaters right to where it leaves the province, heading either to the Arctic or – well, it's always to the Arctic, I guess, on my side of the province.

Thank you very much.

The Deputy Chair: Thank you, hon. member.

Are there any other members who wish to speak on amendment A3 to Bill 27, Flood Recovery and Reconstruction Act? The hon. Member for Little Bow. [interjections]

Mr. Donovan: I know. It was so close.

Thank you, Madam Chair. When I went to the flood symposium, this did come up. From my years on municipal council it was always considered a 1-in-100-year flood or a 1-in-300-year flood. Then it was brought up there that it's a 1 per cent chance in 100 times. Could somebody on that side confirm that that's maybe the new lingo we should use? Instead of 1 in 100 years, it should be a 1 per cent chance in 100 times. I think that needs to be clarified because everybody keeps tying it to 1 in 100 years or 1 in 300 years. That's just something I wouldn't mind having clarified from that side if anybody over there happened to have the correct answer.

Thank you.

The Deputy Chair: Are there any other members who wish to speak on amendment A3?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A3 lost]

[Several members rose calling for a division. The division bell was rung at 5:22 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[Mrs. Jablonski in the chair]

For the motion:

Anderson	Mason	Stier
Anglin	Notley	Strankman
Bikman	Pedersen	Towle
Blakeman	Rowe	Wilson
Donovan	Saskiw	

Against the motion:

Allen	Fraser	Oberle
Amery	Fritz	Olesen
Bhardwaj	Horne	Pastoor
Bhullar	Horner	Quadri
Brown	Jansen	Quest
Calahasen	Jeneroux	Rodney
Campbell	Kennedy-Glans	Sarich
Cao	Klimchuk	Scott
Casey	Kubinec	Weadick
Cusanelli	Lemke	Webber
DeLong	Leskiw	Woo-Paw
Denis	Lukaszuk	Xiao
Dorward	McQueen	
Totals:	For – 14	Against – 38

[Motion on amendment A3 lost]

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

Mr. Denis: Thank you very much, Madam Chair. At this point I'd move to adjourn debate on Bill 27.

[Motion to adjourn debate carried]

The Deputy Chair: Shall progress on Bill 27, Flood Recovery and Reconstruction Act, be reported when the committee rises? Are you agreed?

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.

Bill 31

Protecting Alberta's Environment Act

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Minister for Environment and Sustainable Resource Development.

Mrs. McQueen: Well, thank you, Madam Chair. I certainly appreciate the opportunity to rise in Committee of the Whole on Bill 31, Protecting Alberta's Environment Act. I had the opportunity to listen throughout second reading debate with much interest and have appreciated the supportive comments and questions from many in the House.

Madam Chair, Bill 31 has also received support other than in the House from some of Alberta's environmental experts. For example, Dr. Schindler recently commented that he is optimistic that this legislation will work and happy to certainly see it moving forward. Dr. Howard Tennant, chair of the Environmental Monitoring Management Board, has also been quoted as saying: "The agency is the right step forward towards ensuring that science-based and science-led monitoring of the environment – air, land, water and bio-diversity is taking place."

We know how essential it is, Madam Chair, to have an arm's-length environmental monitoring agency to ensure that this important work remains open, transparent, and based on science and facts. That's what Albertans have told us, and that's why we have worked hard to get this done right.

I am pleased to rise and address some of the questions and concerns that have arisen regarding the legislation during second reading. Many comments regarding Bill 31 have touched on social licence. Social licence is an extremely important factor in the sustainable development of our province's resources because it's about the trust of the people of Alberta. In fact, it's one of the

reasons that we are establishing this arm's-length, science-based monitoring agency. It's an honest effort to be open and transparent with Albertans, and I emphasize again that this agency will be based on science. This is why this agency will be arm's length, because this government values science in its environmental monitoring and decision-making.

However, the Alberta environmental monitoring, evaluation, and reporting agency, AEMERA, is far from this government's only means of monitoring the effect of development on Alberta's landscape. Enhanced environmental monitoring of the oil sands area has already begun with the joint oil sands monitoring program, where industry has been paying up to \$50 million per year since 2012. In addition, we have launched a web-based data portal to support the joint plan. The portal provides members of the scientific community, stakeholders, and the public timely access to data and information collected from the joint oil sands monitoring program.

Another topic that was brought up by several members opposite was the supposed lack of information regarding how the Protecting Alberta's Environment Act will, for instance, reduce pollution levels. Madam Chair, this is not the intent of this legislation. This act's sole purpose is the establishment of an arm's-length monitoring agency. Data and information collected by the agency will be used to enable the development of evidence-based policy that will protect our environment, and that same data will be available to the public or any group that wants to use it.

5:40

Contrary to some of the comments made during second reading, AEMERA will be open and transparent. AEMERA will use water and technology platforms and concepts to share data and information with Albertans. It will provide data and information that is unbiased by government. Everything will be released, even if it means that government hasn't met an outcome or needs to take action. AEMERA will regularly and openly provide data and information through a variety of mechanisms in a variety of formats. Mechanisms could include AEMERA's website and published reports. The data and information could include streamlining near real-time data, specific data sets, and information bulletins, to name a few, and these will be made publicly available.

AEMERA is far from the government's first or only program monitoring our environment. Extensive monitoring already exists in Alberta, but this new agency will enhance the way it is done by making it integrated and co-ordinated, accessible and transparent, and under scientific oversight. In the past monitoring occurred in isolation. The new system will integrate monitoring of air, land, water, and biodiversity so that interactions can be better understood. Monitoring will also be integrated spatially so that the effects within a region can be determined. This is an improvement and an enhancement of our existing monitoring programs, and it will be an extremely beneficial addition to Alberta's efforts to develop resources in a sustainable and environmentally responsible manner.

This legislation does not define goals or targets because this legislation is about establishing an agency that provides data and information. This legislation will enable Alberta's integrated resource management system, or IRMS, which is about ensuring that we understand the impact that growth has on our communities, our environment, and on each other as a whole. This environmental monitoring system is the foundation of our integrated resource management framework. As a participant of the IRMS, AEMERA will monitor according to the outcomes established for the IRMS. Enforcement will continue to be under the purview of the Alberta Energy Regulator and ESRD. ESRD

and the regulator will make use of the credible data and information provided by AEMERA, and all parties will work cooperatively to ensure the protection of Alberta's environment.

Another question raised in second reading was funding. While funding was not specifically addressed in AEMERA's legislation, recent amendments to EPEA in the spring session allowed the minister of the day to establish environmental monitoring programs and assess fees for their support. A regulation is being developed that will establish a monitoring program, the joint oil sands monitoring program agreed to with Environment Canada, and allow assessment of fees for its support. This will collect the \$50 million that the oil sands industry agreed to pay to support regional ambient environmental monitoring. The monitoring activities will be funded by industry, but industry is not doing the collection of data, evaluation, or reporting. This will all be done by the agency.

As well, government currently invests millions of dollars in environmental monitoring in Alberta. This annual investment will be transferred to AEMERA to support ongoing monitoring, evaluation, and reporting across Alberta. As regional plans are developed and additional ambient environmental monitoring needs are identified, it may be appropriate to establish monitoring programs for other regions of the province and potentially assess fees for their support.

Concerns were also raised regarding the involvement of aboriginal communities in this legislation. We are committed to engaging with aboriginal communities regarding how they want to participate with us on environmental monitoring initiatives. Their participation will be an important part of the success of this initiative. Our desired long-term outcome is a strategic working relationship between the monitoring agency and First Nations and Métis organizations, from which monitoring plans can be strengthened by both involving aboriginal communities and applying their traditional knowledge. There are three main objectives to the relationships: to create awareness and understanding of monitoring programs amongst aboriginal groups, to achieve informed participation on monitoring advisory committees, and to integrate aboriginal priorities and concerns, including traditional knowledge, into monitoring programs.

Finally, I want to address the most commonly raised question by members with regard to the Protecting Alberta's Environment Act: who will be on the agency's board? Opposition members are concerned that there will be political bias in these appointments, so I want to be clear about the criteria that I as Minister of Environment and Sustainable Resource Development will use in determining AEMERA's board. Considerations will include a solid understanding of environmental issues in Alberta within an international context; familiarity with the work and recommendations of the Alberta environmental monitoring program and the Alberta Environmental Monitoring Working Group; expertise in environmental science; commitment to continuous improvement; organizational governance; financial management; resource development; communications; aboriginal and community engagement in and implementation of community-based TEK programs; appropriate geographic representation; provincial and regional diversity; and certainly previous board experience.

I also want to be clear about who will not be considered and why. Often legislation establishing provincial corporations is silent on criteria that might make someone not eligible to be a member of a board of directors. It is often left to the discretion of those initially establishing the corporation and then to subsequent boards to define the criteria. However, in the spirit of this legislation, we want to be as transparent as possible. In order to clearly establish the arm's-length nature of this organization, it is important to

include clauses that prevent public servants and elected officials from being appointed to the board.

I also want to be clear about the makeup of the science advisory panel. The science advisory panel will be made up of recognized environmental science experts who have made major impacts in the field of their expertise. The scope of their work is to critically review the scientific basis and components of the monitoring system for which AEMERA is responsible.

Madam Chair, establishing the agency is another step by this government to assure future generations from here and around the world that Alberta will continue to enjoy its natural resources for work, for development, and for enjoyment. This is yet another step that this government has taken and that our Premier has taken to demonstrate to Albertans and to the world that we are committed to environmental stewardship and responsible resource development.

I certainly appreciate the questions that have been raised during second reading, and I look forward to more debate as we move into Committee of the Whole.

Thank you, Madam Chair.

The Deputy Chair: Thank you.

Are there any other members wishing to speak on Bill 31, Protecting Alberta's Environment Act? The hon. Member for Edmonton-Centre.

Ms Blakeman: Thank you very much, Madam Chair, and my thanks to the deputy House leader, the Minister of Justice, and also to the Member for Rimbey-Rocky Mountain House-Sundre for allowing me to queue-jump, so to speak.

I do have an amendment, which is at the table. If I could ask that that be passed out, and while that's happening, I'll address a few of the comments that the minister just made.

First, I'd like to thank her for actually coming into the Assembly and addressing the concerns that were raised. That's not always common practice, and I do appreciate her doing that. There are a number of things that she mentioned that, in fact, aren't in the bill, so as we start to address the amendments that are coming, I'll ask her to keep in mind that, in large part, that's why the amendments are coming. Although she says that she will use certain criteria to appoint people to the board and to the science board, nothing holds the current minister or any successive ministers to doing that. It's not in the legislation. She can change her mind, and anybody else isn't held to it. I am going to bring forward an amendment – and the chairperson will signal me when appropriate – that is essentially setting out criteria to ensure that the people on the science board are scientists.

One other thing I would like to address is the money. Now, we're not allowed to do amendments that cause the government to spend money, so you won't see any of those amendments, but it is a question for us. We've been told repeatedly that the \$50 million coming from the industry is for the oil sands sector. In response to my question during the briefing I was told that the money that is currently being used for SRD monitoring – that would be \$51,272,000 under environmental monitoring – would be used for monitoring in the rest of the province. I've just heard the minister say something different, so I look forward to clarification on that.

Now, may I proceed with the amendment?

The Deputy Chair: Yes, please proceed with the amendment. This is known as amendment A1 to Bill 31, Protecting Alberta's Environment Act.

Ms Blakeman: Thank you very much. Essentially, this is amending section 18 of the bill, which appears on page 8, around the

science advisory panel. As it stands now, all that the legislation says, therefore all that the government is obligated to do, is that the agency would "appoint a Science Advisory Panel, consisting of not more than 8 members" and that the science panel's mandate is to "review the scientific basis" and that the agency may set expenses. That's not good enough for me. I think it's really important that we have scientists on a science panel.

5:50

My amendment is adding to section 18 by saying:

(4) The Science Advisory Panel shall be composed of members qualified in the field of environmental science, designated by the board of directors, taking into account the scientific experience required by the Science Advisory Panel to assist the Agency in its areas of activity.

More than that, I think it's really important – and I ask it of every committee that I sit on – that anyone is able to find out how a committee or a panel arrived at its decision. Therefore, any documents and, in fact, the advice itself or the recommendations should appear on public websites, so the second part of the amendment says:

(5) The advice of the Science Advisory Panel shall be published immediately on the Agency's public website.

The wording for the first section I took directly out of the EU environmental monitoring committee and the wording for setting it up, which uses that same language about being qualified in the field and that they will bring the scientific experience that will be required by the board to fulfill its mandate. It's very careful wording that has been chosen there, and I think it will serve the government well.

It's very hard for me to sell this bill to anyone in the community when they say, "Well, who's on the science panel?" and you say, "Oh, any old person." That's what it says. It just has to be eight people. Now, I understand that the minister has said that she's going to make sure that they actually have a science background. Good for her, but once again it has to be in the legislation. She can change her mind. Her successors can change their minds or never adhere to it. It needs to be in the legislation that scientists are on the science advisory panel. I don't think I can put that any more plainly or strongly.

I shared my amendments with the minister and with the Government House Leader last week, so this is no surprise to her. I did ask that it be taken to caucus and asked for caucus's support. I don't do that very often, so I hope it was worth the effort to do so.

I will let others speak to this, but this is one of the major tenets that is missing from this bill, and if it's to be credible, they must take scientists onto the science advisory panel.

Thank you very much, Madam Chair.

The Deputy Chair: Thank you, hon. member.

Are there any other members who wish to speak to amendment A1 to Bill 31, Protecting Alberta's Environment Act?

Seeing none, I'll call the question.

[Motion on amendment A1 lost]

The Deputy Chair: Are there any others who wish to speak to Bill 31 in Committee of the Whole? The hon. Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Madam Chair. The hon. minister made a couple of comments, and I hope we're going to get to address a lot of that. In the context that the comments were made, they're good comments, but they're not supported by what's in the legislation.

What we'd like to do is actually get this into the legislation and sort of formalize it so that the legislation effects what we just heard from the hon. minister.

The first thing I want to deal with is the whole issue of this arm's-length agency. But before I get to my first amendment, I just want to point out one thing. The minister made a good comment that this is about monitoring, not protecting the environment. I would suggest to you, then, that it's titled wrong. It says, "Protecting Alberta's Environment Act." It should be "Monitoring Alberta's Environment Act" because there's nothing in here dealing with increasing the protection although having good scientific data is a good thing. I don't think anyone here would argue with that unless we want to go back to the floodway argument real quick. The fact of the matter is that this is not a protection act. It is a monitoring act.

With that, I do want to address the subject of arm's length. Madam Chairman, I'd like to bring forth my first amendment.

The Deputy Chair: Thank you, hon. member. We'll pause for a moment while we distribute that amendment to all other members. This will be known as amendment A2 to Bill 31.

Hon. member, we can now continue.

Mr. Anglin: Thank you very much. Madam Chair, the minister in that eloquent speech talked about an arm's-length agency. What I'm moving here is that the Protecting Alberta's Environment Act be amended in section 4 by striking out "in consultation with the Minister." Now, far be it from me not to want to consult with the minister, but the language here and where it's located is in, actually, a very bad spot, or it's not a very good spot. I don't want

to say that it's a bad spot. It's just not a good spot. What we want is to keep this agency at arm's length.

Section 4 talks about the agency reporting "at a frequency determined by the Agency" and, the section says, "in consultation with the Minister." What we would like it to say is: at a frequency determined by the agency, the agency shall report to the public on the condition of the environment in Alberta. In other words, we want to remove the politics.

Now, far be it that this government may interfere when a report actually comes forward to the public – we don't want to get into the pipeline report or the report on wait times – but what we want is independence of this agency to issue their reports when they want to issue their reports without any interference politically. I'm not making an allegation that anyone has ever been accused of interfering politically although I suspect the record might support that going back some length of time. It may be even more than the length of this government to the previous government. But if we truly want an arm's-length agency to operate independent of the ministry, they need that flexibility not to be influenced by the minister when these reports come forward.

I would have to say that this does not prevent the minister from being informed, and it does not prevent the consultation with the ministry itself, but what it does do is that it allows this agency to . . .

The Deputy Chair: Hon. member, I hesitate to interrupt you, but it is now 6 o'clock, and pursuant to Standing Order 4(4) the committee stands recessed until 7:30 p.m.

Thank you.

[The committee adjourned at 6 p.m.]

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