



Province of Alberta

The 27th Legislature  
Third Session

# Alberta Hansard

Wednesday, November 3, 2010

Issue 38

The Honourable Kenneth R. Kowalski, Speaker

## Legislative Assembly of Alberta

### The 27th Legislature

#### Third Session

Kowalski, Hon. Ken, Barrhead-Morinville-Westlock, Speaker  
Cao, Wayne C.N., Calgary-Fort, Deputy Speaker and Chair of Committees  
Mitzel, Len, Cypress-Medicine Hat, Deputy Chair of Committees

Ady, Hon. Cindy, Calgary-Shaw (PC)  
Allred, Ken, St. Albert (PC)  
Amery, Moe, Calgary-East (PC)  
Anderson, Rob, Airdrie-Chestermere (WA),  
    WA Opposition House Leader  
Benito, Carl, Edmonton-Mill Woods (PC)  
Berger, Evan, Livingstone-Macleod (PC)  
Bhardwaj, Naresh, Edmonton-Ellerslie (PC)  
Bhullar, Manmeet Singh, Calgary-Montrose (PC)  
Blackett, Hon. Lindsay, Calgary-North West (PC)  
Blakeman, Laurie, Edmonton-Centre (AL),  
    Official Opposition Deputy Leader,  
    Official Opposition House Leader  
Boutillier, Guy C., Fort McMurray-Wood Buffalo (WA)  
Brown, Dr. Neil, QC, Calgary-Nose Hill (PC)  
Calahasen, Pearl, Lesser Slave Lake (PC)  
Campbell, Robin, West Yellowhead (PC),  
    Government Whip  
Chase, Harry B., Calgary-Varsity (AL),  
    Official Opposition Whip  
Dallas, Cal, Red Deer-South (PC)  
Danyluk, Hon. Ray, Lac La Biche-St. Paul (PC)  
DeLong, Alana, Calgary-Bow (PC)  
Denis, Hon. Jonathan, QC, Calgary-Egmont (PC),  
    Deputy Government House Leader  
Doerksen, Arno, Strathmore-Brooks (PC),  
    Deputy Government Whip  
Drysdale, Wayne, Grande Prairie-Wapiti (PC)  
Elniski, Doug, Edmonton-Calder (PC)  
Evans, Hon. Iris, Sherwood Park (PC)  
Fawcett, Kyle, Calgary-North Hill (PC)  
Forsyth, Heather, Calgary-Fish Creek (WA),  
    WA Opposition Whip  
Fritz, Hon. Yvonne, Calgary-Cross (PC)  
Goudreau, Hon. Hector G., Dunvegan-Central Peace (PC)  
Griffiths, Doug, Battle River-Wainwright (PC)  
Groeneveld, George, Highwood (PC)  
Hancock, Hon. Dave, QC, Edmonton-Whitemud (PC),  
    Government House Leader  
Hayden, Hon. Jack, Drumheller-Stettler (PC)  
Hehr, Kent, Calgary-Buffalo (AL)  
Hinman, Paul, Calgary-Glenmore (WA),  
    WA Opposition Deputy Leader  
Horne, Fred, Edmonton-Rutherford (PC)  
Horner, Hon. Doug, Spruce Grove-Sturgeon-St. Albert (PC)  
Jablonski, Hon. Mary Anne, Red Deer-North (PC)  
Jacobs, Bryce, Cardston-Taber-Warner (PC)  
Johnson, Jeff, Athabasca-Redwater (PC)  
Johnston, Art, Calgary-Hays (PC)  
Kang, Darshan S., Calgary-McCall (AL)  
Klimchuk, Hon. Heather, Edmonton-Glenora (PC)  
Knight, Hon. Mel, Grande Prairie-Smoky (PC)  
Leskiw, Genia, Bonnyville-Cold Lake (PC)  
Liepert, Hon. Ron, Calgary-West (PC)  
Lindsay, Fred, Stony Plain (PC)  
Lukaszuk, Hon. Thomas A., Edmonton-Castle Downs (PC),  
    Deputy Government House Leader  
Lund, Ty, Rocky Mountain House (PC)  
MacDonald, Hugh, Edmonton-Gold Bar (AL)  
Marz, Richard, Olds-Didsbury-Three Hills (PC)  
Mason, Brian, Edmonton-Highlands-Norwood (ND),  
    Leader of the ND Opposition  
McFarland, Barry, Little Bow (PC)  
McQueen, Diana, Drayton Valley-Calmar (PC)  
Morton, Hon. F.L., Foothills-Rocky View (PC)  
Notley, Rachel, Edmonton-Strathcona (ND),  
    ND Opposition House Leader  
Oberle, Hon. Frank, Peace River (PC)  
Olson, Verlyn, QC, Wetaskiwin-Camrose (PC)  
Ouellette, Hon. Luke, Innisfail-Sylvan Lake (PC)  
Pastoor, Bridget Brennan, Lethbridge-East (AL),  
    Official Opposition Deputy Whip  
Prins, Ray, Lacombe-Ponoka (PC)  
Quest, Dave, Strathcona (PC)  
Redford, Hon. Alison M., QC, Calgary-Elbow (PC),  
    Deputy Government House Leader  
Renner, Hon. Rob, Medicine Hat (PC),  
    Deputy Government House Leader  
Rodney, Dave, Calgary-Lougheed (PC)  
Rogers, George, Leduc-Beaumont-Devon (PC)  
Sandhu, Peter, Edmonton-Manning (PC)  
Sarich, Janice, Edmonton-Decore (PC)  
Sherman, Dr. Raj, Edmonton-Meadowlark (PC)  
Snelgrove, Hon. Lloyd, Vermilion-Lloydminster (PC)  
Stelmach, Hon. Ed, Fort Saskatchewan-Vegreville (PC)  
Swann, Dr. David, Calgary-Mountain View (AL),  
    Leader of the Official Opposition  
Taft, Dr. Kevin, Edmonton-Riverview (AL)  
Tarchuk, Janis, Banff-Cochrane (PC)  
Taylor, Dave, Calgary-Currie (Ind)  
VanderBurg, George, Whitecourt-Ste. Anne (PC)  
Vandermeer, Tony, Edmonton-Beverly-Clareview (PC)  
Weadick, Greg, Lethbridge-West (PC)  
Webber, Hon. Len, Calgary-Foothills (PC)  
Woo-Paw, Teresa, Calgary-Mackay (PC)  
Xiao, David H., Edmonton-McClung (PC)  
Zwozdesky, Hon. Gene, Edmonton-Mill Creek (PC),  
    Deputy Government House Leader

#### Officers and Officials of the Legislative Assembly

Clerk	W.J. David McNeil	Clerk of <i>Journals</i> /Table Research	Micheline S. Gravel
Clerk Assistant/Director of House Services	Louise J. Kamuchik	Parliamentary Counsel	Stephanie LeBlanc
Law Clerk/Director of		Sergeant-at-Arms	Brian G. Hodgson
Interparliamentary Relations	Robert H. Reynolds, QC	Assistant Sergeant-at-Arms	Chris Caughell
Senior Parliamentary Counsel/ Clerk of Committees	Shannon Dean	Assistant Sergeant-at-Arms	Gordon H. Munk
		Managing Editor of <i>Alberta Hansard</i>	Liz Sim

#### Party standings:

Progressive Conservative: 68      Alberta Liberal: 8      Wildrose Alliance: 4      New Democrat: 2      Independent: 1

## **Executive Council**

Ed Stelmach	Premier, President of Executive Council, Chair of Agenda and Priorities Committee, Vice-chair of Treasury Board
Doug Horner	Deputy Premier, Minister of Advanced Education and Technology, Minister Liaison to the Canadian Armed Forces
Ted Morton	Minister of Finance and Enterprise
David Hancock	Minister of Education, Political Minister for Edmonton
Lloyd Snelgrove	President of the Treasury Board
Iris Evans	Minister of International and Intergovernmental Relations
Ron Liepert	Minister of Energy
Luke Ouellette	Minister of Transportation
Mel Knight	Minister of Sustainable Resource Development
Alison Redford	Minister of Justice and Attorney General, Political Minister for Calgary
Rob Renner	Minister of Environment
Gene Zwozdesky	Minister of Health and Wellness
Yvonne Fritz	Minister of Children and Youth Services
Jack Hayden	Minister of Agriculture and Rural Development
Ray Danyluk	Minister of Infrastructure
Mary Anne Jablonski	Minister of Seniors and Community Supports
Lindsay Blackett	Minister of Culture and Community Spirit
Heather Klimchuk	Minister of Service Alberta
Cindy Ady	Minister of Tourism, Parks and Recreation
Hector Goudreau	Minister of Municipal Affairs
Frank Oberle	Solicitor General and Minister of Public Security
Len Webber	Minister of Aboriginal Relations
Jonathan Denis	Minister of Housing and Urban Affairs
Thomas Lukaszuk	Minister of Employment and Immigration

## **Parliamentary Assistants**

Evan Berger	Sustainable Resource Development
Manmeet Singh Bhullar	Municipal Affairs
Cal Dallas	Environment
Doug Griffiths	Finance and Enterprise
Fred Horne	Seniors and Community Supports
Broyce Jacobs	Agriculture and Rural Development
Jeff Johnson	Treasury Board
Diana McQueen	Energy
Janice Sarich	Education
Dr. Raj Sherman	Health and Wellness
Greg Weadick	Advanced Education and Technology
Teresa Woo-Paw	Employment and Immigration

**STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA**

**Standing Committee on the Alberta Heritage Savings Trust Fund**

Chair: Ms Tarchuk  
 Deputy Chair: Mr. Elniski  
 Blakeman  
 DeLong  
 Forsyth  
 Groeneveld  
 Johnston  
 MacDonald  
 Quest

**Standing Committee on Community Services**

Chair: Mr. Doerksen  
 Deputy Chair: Mr. Hehr  
 Allred  
 Anderson  
 Benito  
 Bhullar  
 Chase  
 Johnston  
 Notley  
 Rodney  
 Sarich  
 Taylor

**Standing Committee on the Economy**

Chair: Mr. Bhardwaj  
 Deputy Chair: Mr. Chase  
 Amery  
 Fawcett  
 Griffiths  
 Hinman  
 Lund  
 Marz  
 Taft  
 Taylor  
 Weadick  
 Woo-Paw

**Standing Committee on Health**

Chair: Mr. McFarland  
 Deputy Chair: Ms Pastoor  
 Forsyth  
 Groeneveld  
 Horne  
 Lindsay  
 Notley  
 Olson  
 Quest  
 Sherman  
 Taft  
 Vandermeer

**Standing Committee on Legislative Offices**

Chair: Mr. Mitzel  
 Deputy Chair: Mr. Lund  
 Bhullar  
 Blakeman  
 Campbell  
 Hinman  
 Lindsay  
 MacDonald  
 Marz  
 Notley  
 Quest  
 Rogers

**Special Standing Committee on Members' Services**

Chair: Mr. Kowalski  
 Deputy Chair: Mr. Campbell  
 Anderson  
 Elniski  
 Hehr  
 Leskiw  
 Mason  
 Oberle  
 Pastoor  
 Rogers  
 VanderBurg  
 Weadick

**Standing Committee on Private Bills**

Chair: Dr. Brown  
 Deputy Chair: Ms Woo-Paw  
 Allred      Jacobs  
 Amery      Kang  
 Benito      Lindsay  
 Bhardwaj      McQueen  
 Boutilier      Olson  
 Calahasen      Sandhu  
 Dallas      Sarich  
 Doerksen      Taft  
 Drysdale      Xiao  
 Hinman

**Standing Committee on Privileges and Elections, Standing Orders and Printing**

Chair: Mr. Prins  
 Deputy Chair: Mr. Hancock  
 Amery      Lindsay  
 Berger      McFarland  
 Calahasen      Mitzel  
 DeLong      Notley  
 Doerksen      Pastoor  
 Forsyth      Quest  
 Groeneveld      Sherman  
 Hinman      Tarchuk  
 Jacobs      Taylor  
 Leskiw

**Standing Committee on Public Accounts**

Chair: Mr. MacDonald  
 Deputy Chair: Mr. Rodney  
 Anderson      Groeneveld  
 Benito      Kang  
 Calahasen      Mason  
 Chase      Olson  
 Dallas      Sandhu  
 Elniski      Vandermeer  
 Fawcett      Xiao  
 Griffiths

**Standing Committee on Public Safety and Services**

Chair: Mr. Drysdale  
 Deputy Chair: Mr. Kang  
 Boutilier  
 Brown  
 Calahasen  
 Cao  
 Forsyth  
 Johnson  
 MacDonald  
 Rogers  
 Sandhu  
 Xiao

**Standing Committee on Resources and Environment**

Chair: Mr. Prins  
 Deputy Chair: Ms Blakeman  
 Anderson  
 Berger  
 Boutilier  
 Dallas  
 Hehr  
 Jacobs  
 Mason  
 McQueen  
 Mitzel  
 VanderBurg

## Legislative Assembly of Alberta

1:30 p.m.

Wednesday, November 3, 2010

[The Deputy Speaker in the chair]

### Prayers

**The Deputy Speaker:** Before we sit, we need to honour the Assembly and all people with a prayer. Let us pray. Let us keep ever mindful of the special and unique opportunity we have to work for our constituents and our province, and in that work let us find strength and wisdom. Amen.

Please be seated now.

### Introduction of Guests

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

**Mr. Dallas:** Thank you, Mr. Speaker. It's indeed a privilege and an honour to introduce to you and through you to all members of the Assembly 48 students from Westpark middle school in Red Deer. We had a group here yesterday from Westpark middle, and another outstanding group of young citizens is joining us here today for a tour. They are accompanied by teachers Mrs. Laurie Shapka-Thiel, Miss Kim Toth, and Mr. Norm Howes. I would ask them to rise and receive the traditional warm welcome of the Assembly.

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

**Mr. Allred:** Thank you, Mr. Speaker. It's my privilege this afternoon to introduce to you and through you to the Assembly a group of students from Neil M Ross school in St. Albert. We have a total of 80 visitors in the gallery today. They are accompanied by seven teachers and parent helpers: Mr. Brett Arlinghaus, Mrs. Kelly McConkey, Mr. Jamie Robertson, Mrs. Arlene Wagner, Mrs. Elza McCartney, Mrs. Kristin Klatchuk, and Mrs. Lori Walklin. I'd ask them if they would please stand and receive the traditional warm welcome of the Assembly.

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

**Mr. Zwodzesky:** Thank you very much, Mr. Speaker. It's my great pleasure to introduce to you and through you to all members of the Assembly today some very special guests who are seated in your Speaker's gallery. They are representatives of the Campaign to Control Cancer organization. Today is the second annual Cancer Day of Action. A number of us MLAs were pleased to meet with them earlier today during the lunch hour. I would ask them to rise as I call their names and to remain standing until all have been introduced. Then perhaps we could greet them with the accolades that they are so due.

Dr. Glenn Hundleby, chair of the new Wellspring Edmonton, whose mission is to provide a comprehensive range of cancer supports; Mr. Harley Ast, board member of the Canadian Prostate Cancer Network; Jill Zaparyniuk, who is a nurse in oncology at the Cross Cancer Institute; Mr. Bill Holt, who's the treasurer of the multiple myeloma society in Calgary; and, finally, I'd like to introduce Ms Carol Westberg, a mother of three, a grandmother of seven, who was diagnosed with multiple myeloma in September of 2004 and whose cancer drug is now covered by Alberta health care due to the efforts of this campaign to control cancer in 2008.

God bless you all for being here and for the outstanding work

you're doing for so many people in our province and elsewhere. Thank you, all.

**The Deputy Speaker:** The hon. Minister of Service Alberta.

**Mrs. Klimchuk:** Thank you, Mr. Speaker. It's a pleasure today to rise and introduce to you and through you to the Assembly Bailey Jason. Bailey has come to the Legislature today to participate in take our kids to work day, an annual program where students are hosted by parents, relatives, and volunteers at workplaces across the country. Bailey is accompanied by his mother, my constituency assistant, Josie Jason. Josie has been my constituency assistant since 2008. I know that my office would not be running smoothly if I didn't have her there. I would like to take this opportunity to thank her for all of her hard work. I would now ask Josie and Bailey to rise and receive thunderous applause from the Assembly.

**The Deputy Speaker:** The hon. Deputy Premier.

**Mr. Horner:** Thank you, Mr. Speaker. It's an honour to introduce to you and through you to all members of the Assembly Adriana Gentles and Kate Wightmore. They are both grade 9 students spending the day here for, as noted, take your kid to work day. Adriana attends Father Michael Troy junior high school in Edmonton and plays on the senior girls' volleyball and senior girls' basketball teams while maintaining honours. She also played basketball in the Alberta Summer Games in Peace River, and their team brought home the bronze. Adriana is the youngest of four daughters of one of my staff, Lisa Gentles, who is also accompanying them.

Kate Wightmore is a constituent of mine who attends Sainte Marguerite d'Youville junior high school in St. Albert. She's involved in musical theatre and performs at the Citadel, is an avid softball player during the summer, and has a keen interest in politics, which led her to ask her uncle if she could spend the day at the Legislature today. Kate is the niece of my executive assistant, Tim Schultz. They are seated in the members' gallery this afternoon, and I would ask that they rise and that we give them the traditional warm welcome of this Assembly.

**The Deputy Speaker:** The hon. Member for Calgary-Mountain View and Leader of the Official Opposition.

**Dr. Swann:** Thank you very much, Mr. Speaker. I'm honoured today to introduce to you and through you to all members of the Assembly a special guest who joins us in the gallery today. I'd like to ask Sarah Ellis to please rise. Sarah is a grade 9 student at St. Rose junior high. She's participating in the take our kids to work program, where grade 9 students spend a day job shadowing a parent, relative, friend, or volunteer host. Please extend a warm welcome to Sarah.

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

**Ms Blakeman:** Thank you very much, Mr. Speaker. I am most fortunate as the MLA for the fabulous constituency of Edmonton-Centre to be able to gain advice and, I hope, wisdom from some of the constituents that live in my riding. Today three of them are joining me in the public gallery, and I'd like to introduce these wonderful people through you to all of my colleagues in the Assembly. John Zyp is an artist and an activist with very firm opinions on health care, on seniors, on the environment. He is very ably assisted in all of his activities by his wife, Bettie. Also here is

Danielle Zyp, who is an artist in her own right – I'm most blessed – a mental health advocate who has been very helpful to me in understanding some of the issues that affect people, and a very proud downtown dweller, I might add. I would ask John, Bettie, and Danielle to please stand and accept the warm welcome of the Assembly.

**The Deputy Speaker:** The hon. Member for Lethbridge-West.

**Mr. Weadick:** Thank you, Mr. Speaker. It's indeed a pleasure to introduce to you and through you to all members of this Assembly a group of great people from Lethbridge called Team Lethbridge. They're up here this week representing 15 different organizations and meeting with government ministries, departments, and MLAs to talk about some of the issues in southern Alberta. I'm going to introduce some of them now, and then the Member for Lethbridge-East is going to introduce the rest later. If they could rise in the gallery as I call their names: Wayne Brewer, Jean Greer McCarthy, Peter Portlock, Brad Cook, Don Young, Blayne Janssens, Colin Ward, Don Lussier, Suzanne Lint, Rick Braden, Sarah Amies, Rudy Friesen, John Machielse, Rob Miyashiro, Brooke Culley, Randy Tremel, Dr. Mike Mahon, Richard Westlund, Dr. Daniel Weeks, Bruce Primeau, Mayor Rajko Dodic, Alderman Faron Ellis, Alderman Ryan Parker, Jody Nilsson, Jan Foster, Chief Tom McKenzie, Stan Coxson, and Lenze Kuiper. We'll give them our warm welcome.

**1:40**

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

**Mr. Prins:** Thank you very much, Mr. Speaker. It's really an honour for me to be able to introduce two friends from my constituency. Mr. Rick Wierzbza from Ponoka is the incoming president of the Ponoka Stampede association. The Ponoka Stampede is celebrating their 75th anniversary this year, and we would invite all members and all Albertans, of course, to attend the stampede. Also, Mr. Dave Douglas of Lacombe is the area manager of the southern prairie region of Ritchie Bros. Auctioneers. They have been in the House this afternoon to meet with a couple of ministers and myself. I would like them to stand and receive the warm welcome of this Assembly.

Thank you.

### Members' Statements

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

### National 4-H Month

**Mr. Marz:** Well, thank you very much, Mr. Speaker. I rise today to recognize and wish all of you a happy Show Your 4-H Colours day. Today I want to acknowledge this incredibly valuable organization. November is National 4-H Month, and 4-H unites people: rural and urban, professional and student, young and young at heart. All are positively impacted by the Alberta 4-H organization.

The 4-H has been shaping the lives of youth and adults for 93 years and is one of the longest running youth organizations in Alberta. Many 4-H members and leaders have gone on to become successful and accomplished members of society. Because of this, 4-H is also one of the most respected and admired youth programs in Canada, with over 250,000 alumni.

Since 1917 Alberta 4-H has been building communities by developing leadership, interpersonal, and technical skills in its

members and volunteers, giving youth the skills they need to succeed in life and helping them build a network of friends across the entire country.

Mr. Speaker, 4-H plays an important role in developing tomorrow's leaders for our agriculture industry and for our rural communities. The 4-H motto is Learn to Do by Doing, and members take part in activities that meet their interests, increase their knowledge, and develop their life skills. Through these opportunities they develop professionalism, strong leadership qualities, and build the confidence they need to succeed. Our youth want to be involved, accepted, valued, and heard, and 4-H provides that opportunity. In 4-H youth are handed the reins, and they run the show.

In honour of National 4-H Month I want to acknowledge the outstanding work of the Alberta 4-H clubs and extend a warm thank you to all the volunteers, the people who tirelessly volunteer their time, energy, and talents to help these young people succeed.

Now I ask you to join me in showing your 4-H colours.

**The Deputy Speaker:** The hon. Member for Calgary-Currie, followed by hon. Member for Calgary-Nose Hill.

### Emergency Medical Services

**Mr. Taylor:** Thank you very much, Mr. Speaker. I know there's a reason why it's called question period and not answer period, and I know that if ever in history it did have a higher purpose in holding government to account, over the last 30 years or so it's evolved into theatre. The opposition's only goal is to make the government look evil or stupid or preferably both, and the government's only goal is to make the opposition look ill-informed and un-Albertan.

Mostly, the public seems to think it's all pretty childish, but both sides keep doing it because, well, that's what we do: opposition, anger; government, indignation and obfuscation. All heat, no light, which might be good enough in most cases, Mr. Speaker, but it seems to me that in times of crisis the last thing the people of Alberta want from us is more hot air and smoke. They need some light. They want solutions.

Make no mistake. Alberta's ER crisis is real. Sick and injured Albertans are sitting in ER waiting rooms for 10, 20 hours, sometimes days. What's more, Albertans wait months, sometimes years for tests and surgeries, and many do not have family doctors.

Mr. Speaker, last Thursday I stood up in question period and asked Alberta's minister of health: "Will the minister direct the Alberta Health Services Board to bring all staff, current and retired, to available status and to offer full-time shifts to all nurses who want them?" A solution proposed in question period? Quelle surprise. Perhaps I've started a trend.

On Monday my team and I watched as similar propositions were put forward by one opposition party, and yesterday we listened as my exact proposal was suggested by another party. And it's about time, Mr. Speaker, because I suggest that anyone following question period beforehand would have been hard-pressed to believe that either side cared as much about solving the problem as about using other people's pain to score political points on each other.

Now, I don't care where the good ideas come from. I would suggest that neither my constituents nor yours do. They just want us to do what they're paying us to do: work together to solve the problem.

Yesterday in question period we were promised 51 new beds by the end of the month. I challenge the minister to double that, and I challenge every one of us here in this House to propose practical, workable solutions to the ER crisis that put Albertans first. Like the bumper sticker says, "Wag more, bark less."

### Opposition Comments on Ethics of Government MLAs

**Dr. Brown:** Mr. Speaker, yesterday the hon. Leader of the Opposition made a member's statement in this House which was clearly unparliamentary and which cast aspersions on the ethics of me and every one of my colleagues in government caucus. The hon. leader stated that "government MLAs in this province are compromised by a plethora of free gifts they receive from special interests" and that those gifts came "with an expectation of access to power and influence."

Such statements are untrue and are unbecoming of a gentleman whom we have come to believe respected the decorum of the House and the privileges of members. I and many of my colleagues were inclined to raise a point of order. However, the chair has ruled on previous occasions that members may not raise these points of order on speeches made in members' statements. This leaves members' statements open to abuse and to flaunting our long-standing rights to have the chair temper the speech of members when points of order arise.

As the Deputy Premier stated yesterday, we have strict rules regarding the acceptance of gifts, which are contained in the Conflicts of Interest Act. These rules were formulated and agreed to by members of all parties in this House. There was no dissent on recommendations regarding acceptance of gifts as an incidence of protocol when they were adopted several years ago. The hon. leader was silent on that issue when the new conflict rules were adopted.

Mr. Speaker, if the hon. leader has evidence of impropriety or believes that any one of us in this House has breached the provisions of the Conflicts of Interest Act, then he should and must bring those to the attention of the Ethics Commissioner.

Mr. Speaker, the hon. Leader of the Opposition should apologize to members of this House for his actions.

**The Deputy Speaker:** The hon. Member for Lethbridge-West, followed by the hon. Member for Bonnyville-Cold Lake.

### Adoption Awareness Month

**Mr. Weadick:** Thank you, Mr. Speaker. I am pleased to rise today in recognition of national Adoption Awareness Month. This is an opportunity to celebrate the many dedicated families who open their hearts and homes to children and youth and welcome them into their families. November is a time to raise awareness of the children and youth in government care who are waiting to be placed in a permanent home with a loving family.

At any given time Alberta has 200 children and youth ready to be adopted by families who will ensure they have the support they need to reach their full potential. Last year Children and Youth Services had tremendous success finding 579 permanent homes for children and youth in care through adoptive and private guardianship agreements, but there are still many children and youth across our province who need our help. The area of greatest need is for children seven years of age and older.

There is no better time or better place to adopt a child than right now in Alberta. Many families who have adopted say that the experience has made a positive difference in their own lives. To all of those families who have opened their homes and their hearts to a child, we say thank you. I encourage all families interested in adopting to first consider the children in our province and visit our adoption website at [www.adoptionalberta.gov.ab.ca](http://www.adoptionalberta.gov.ab.ca).

Thank you.

**The Deputy Speaker:** The hon. Member for Bonnyville-Cold Lake, followed by the hon. Member for Calgary-Fish Creek.

### Advisory Council on Alberta-Ukraine Relations

**Mrs. Leskiw:** Thank you, Mr. Speaker. I rise to congratulate the Advisory Council on Alberta-Ukraine Relations in celebrating their 10th anniversary this year. This is a council I am honoured to chair. It was founded in 2000 thanks to the leadership of the hon. Member for Edmonton-Mill Creek, who was its first chair and is currently my co-chair, to advise the government of Alberta on its relations with Ukraine. Since its inception the council was also chaired or co-chaired by the hon. Member for Lac La Biche-St. Paul and the late Dave Broda, former MLA for Redwater.

The important projects the council has provided influential advice on include things like former Premier Ralph Klein's historic 2002 and 2006 missions to Ukraine, the Alberta-Lviv memorandum of understanding signed in 2005, the Alberta-Ivano-Frankivsk memorandum of understanding signed in 2004 and renewed in 2010, and the enhanced K to 12 educational linkages between Alberta and Lviv schools, including twinning.

For over 100 years the bonds of history, culture, and friendship between Alberta and Ukraine have only grown stronger. We have enjoyed a long, warm relationship with Ukraine. Through the council we have worked to strengthen and grow our relationship through ties in agriculture, education, culture, and business. The council has been essential in helping us better understand and manage the issues and opportunities related to Alberta-Ukraine relations and to work with Alberta's Ukrainian community on these matters.

To start our next 10 years, the council will be working more closely with our Saskatchewan and federal counterparts. Our first joint meeting with Saskatchewan's council will be held tomorrow evening at Government House. Being of Ukrainian descent, I am especially proud of the work this council has done and continues to do. I am very proud of the cultural, political, and economic ties between Alberta and Ukraine. I look forward to many more years of friendship in the years to come.

[Remarks in Ukrainian] Thank you.

1:50

### Oral Question Period

**The Deputy Speaker:** Before we go on to Oral Question Period, I just want to emphasize that we have 35 seconds for questions and 35 seconds for answers, so stay within that limit, please.

First opposition question. The Leader of the Official Opposition.

### Foreign Investments in Alberta

**Dr. Swann:** Thank you, Mr. Speaker. The list of Canadian-owned resource companies taken over by foreign companies includes many icons of corporate Canada: Inco, Falconbridge, Alcan, and now, if the announcement comes as expected, Potash Corporation. This trend is inevitably going to sweep into Calgary, where many companies make inviting targets for foreign takeovers. If Canada can lose its largest nickel, aluminum, and potash companies, there's no reason to assume it won't also lose its largest oil and gas companies. To the minister of finance: is this government monitoring the situation, and if so, what is it finding?

**Dr. Morton:** Mr. Speaker, a very timely question from the Leader of the Opposition. In fact, we are monitoring it. In fact, I happen to have a file here, that's about half an inch thick, of documents concerning exactly this. I would indicate that our leader, the Premier, has stood up very publicly and very vocally and defended the interests and the rights of the people of Saskatchewan, and we're proud of him for doing that.

**Dr. Swann:** Well, Mr. Speaker, I'd like the minister to focus on Alberta for just a minute if he would. Has the government done any assessment of the impact that foreign takeover of major energy companies would have on Calgary and Alberta such as the relocation of head offices, exodus of critical knowledge, and loss of jobs?

**Ms Evans:** Mr. Speaker, I have the happy circumstance of sharing the international piece with the Minister of Finance and Enterprise, who looks after a good part of the same file. We have on every instance and every example of all the companies, like the Korean oil and gas company, done due diligence, been in consultation with Ottawa, made sure that the appropriate rules were being followed for progress and process. We have done those kinds of assessments. In one of the recent acquisitions there was considerable dialogue with the company as well.

**The Deputy Speaker:** The hon. leader.

**Dr. Swann:** Well, thank you, Mr. Speaker. Does the government actually have a position on the ownership of Alberta's resource companies by foreign corporations or, indeed, foreign governments like China?

**Ms Evans:** Mr. Speaker, we try to maintain a barrier-free trading environment. Alberta has had that in place for decades. We don't intend to move from that. We're very interested when, for example, one of the companies may sell off a piece of its company to a foreign interest, and in our experience so far the sales have not been materially sufficient to raise any concern.

**The Deputy Speaker:** Second question by the Leader of the Official Opposition.

#### AltaLink Electricity Transmission Line

**Dr. Swann:** Thank you, Mr. Speaker. Well, from helicopter rides to free concert tickets the perks just keep on rolling in. AltaLink, which owns half the electricity transmission lines in the province, gave more than \$16,000 to this Progressive Conservative Party in 2009, Rod Stewart tickets to the Minister of Education. AltaLink, on the other hand, got paid for a transmission line never built, and consumers were forced to pay the \$35 million tab, this payment highly inappropriate with the prospect of a second attempt at building the line from Wabamun to Calgary. To the Minister of Energy: was the payout to AltaLink on December 31, 2009, appropriate? Yes or no?

**Mr. Liepert:** Mr. Speaker, the hon. Leader of the Opposition knows full well that the transmission business in this province is a regulated entity, and if a proponent wants to build transmission lines, they apply to the Alberta Utilities Commission, which is a quasi-judicial, arm's-length body. Those hearings take place. There's ample opportunity for public input, and then a decision is rendered.

**Dr. Swann:** Well, Mr. Speaker, whose interests is the government serving here, the consumers' or AltaLink's, when there's no open bidding process?

**Mr. Liepert:** The government is serving all Albertans' interests, Mr. Speaker, by establishing a quasi-judicial, independent body that looks at these proponents and these proposals. I don't know if the hon. leader is suggesting that we should change that structure and maybe have cabinet ministers independently approve these transmis-

sion lines. I don't think that's the right way to go. I think the structure we have in place has worked well.

**Dr. Swann:** Well, back to the minister. Why is there no open bidding process for these transmission lines?

**Mr. Liepert:** Well, Mr. Speaker, one of the unique things that Bill 50 actually did was that it is proposing that on several of the lines there will be an open bidding process. That will be outlined as time progresses. But, you know, the reality of it is that we have determined through Bill 50 that there is a need to upgrade our transmission system. We have put in place the process that is to be followed, and we intend to follow through on that.

**The Deputy Speaker:** Third question of the Official Opposition. The hon. leader.

#### Cancer Services in Calgary

**Dr. Swann:** Thank you, Mr. Speaker. My questions are for the minister of health. Will the people of Calgary receive the urgently needed new cancer facility to relieve some of the pressure on the Tom Baker centre? Yes or no?

**Mr. Zwozdesky:** Mr. Speaker, cancer, as evidenced by today's guests and by the hon. leader's attendance at the luncheon, is a very important subject for us to address. We do have a provincial-wide cancer strategy that will be coming out very soon, and as part of that, we're looking at all parts of Alberta, not just Calgary. The short answer is that we are looking at that need in Calgary as we speak.

**Dr. Swann:** Mr. Speaker, we have needed cancer care capacity in Alberta for at least five years and in Calgary more specifically. How can the minister claim that improving cancer care is a priority? He can't even say whether a cancer facility for Calgary is in the works.

**Mr. Zwozdesky:** Mr. Speaker, as soon as I'm in a position to provide the details with respect to what we're doing for cancer care in Calgary or in Edmonton or in Medicine Hat or with the radiation therapy corridors that are planned for Grande Prairie and Red Deer and the one we just opened in Lethbridge, more of those details will be coming out soon.

**Dr. Swann:** Mr. Speaker, we've been waiting seven months for the capital plan for Calgary and Edmonton. How can the minister deny that he's been lurching from failure to disaster and that this is the reason why this important long-term planning has been put on the back burner?

**Mr. Zwozdesky:** Mr. Speaker, there's no shortage of important issues in health, I can assure you. This is one of them, and it's one that we're committed to discussing, looking at thoroughly, reviewing, and coming forward with a plan as part of the overall approach for the whole province. We'll be doing that, and we are in the middle of it right now.

#### Emergency Medical Services

**Mr. Anderson:** Yesterday the Wildrose proposed reducing ER waits by designating a chief medical officer for every hospital with authority to override superboard regulations, when necessary, to reduce dangerous ER blockage. In response the minister poo-hooed the suggestion, saying that "people would find it quite offensive" to suggest overriding "AHS directives, regulations or



regular staffing ratios.” Wow. That’s putting patients first there, Minister. Is this minister so married to the superboard bureaucracy that he is willing to put AHS regulations ahead of patient health?

**Mr. Zwozdesky:** Mr. Speaker, let me tell you that just in the last few weeks and going forward for the next few weeks, more than 71 new beds will be opened in acute-care hospitals in Edmonton and more than 70 beds will be opened or have already been opened within the same time frame in Calgary acute-care hospitals. Over and above that, we’re adding 1,300 continuing care spaces outside the acute-care hospitals. That’s just one part of the strategy.

**Mr. Anderson:** That wasn’t the question.

Given all the horrific revelations – patients dying in hallways waiting for care, pregnant women having their cervix examined in open triage, people puking up blood in the emergency room for seven hours before even getting assessed, people calling 911 from the emergency room, 54 per cent longer waits in just one year – is this minister going to stand there and defend his precious AHS regulations and bureaucratic decisions? How do you justify that, Minister?

2:00

**Mr. Zwozdesky:** Mr. Speaker, it’s a very complex area, and we’re definitely serious about this. That’s why we’ve sped up things. That’s why I gave the directives that I gave. Included in those directives were things like accelerating the need for more care beds, and they’re doing that. I have to tell you that overall the numbers are starting to come down, not in large numbers, but they are starting to improve. Let’s give this a chance. I’ve indicated that opening more beds is one part of the strategy, but so, too, is increasing home-care funding. So, too, is a new discharge protocol to pre-empt those beds.

**Mr. Anderson:** Given that this minister keeps saying that he’s listening to ER doctors and given that every line in the Wildrose proposal yesterday stems directly from the mouths of multiple senior, high-ranking, and very respected ER doctors who have grown tired of waiting for this minister to actually stand up to his AHS bureaucrats and make our ERs safe again, why would this minister simply dismiss their proposals? I mean, I know you don’t listen to the ER doc in your own caucus, but will you at least listen to others?

**Mr. Zwozdesky:** Mr. Speaker, such a bunch of ‘balderbunk.’ I mean, no wonder they’re having trouble attracting people to their fundraisers with nonsense like that, having to cancel fundraisers because you can’t enunciate anything that makes any sense.

If there are people out there that have good common-sense suggestions, I’ve always listened to them. I’ve responded. I’ve acted immediately to help patients who need the care. That’s what we’re talking about. [interjections] They can sit there and talk about privatization all they want. We’re talking about five-year funding. We’re talking about action to help right now.

**The Deputy Speaker:** I just want to remind the hon. Member for Fort McMurray-Wood Buffalo to please be less loud.

The hon. Member for Edmonton-Highlands-Norwood.

#### Premier’s Mission to Abu Dhabi

**Mr. Mason:** Thank you very much, Mr. Speaker. Last year the Premier was hosted and entertained lavishly by the Crown Prince of

Abu Dhabi. A few weeks ago the Premier went to bat for the prince when he supported the United Arab Emirates’ demands for more flights into Canada for Emirates airline. My question is to the Deputy Premier. Can you explain the connection between the Premier’s acceptance of the lavish hospitality of the Prince of Abu Dhabi and his public advocacy on behalf of the prince’s airline?

**Mr. Horner:** Well, Mr. Speaker, there is no connection between the hosting and the policy decision. The province of Alberta does business around the globe, and we look forward to having businessmen from around the globe come to our province. It’s an International and Intergovernmental Affairs issue, and I’ll have the minister respond.

**Ms Evans:** Mr. Speaker, the open-skies policy signed in 2006 has seen over 90 agreements signed in the U.S. and only 11 in Alberta. We’re pursuing and the Premier is aggressively pursuing on behalf of China, India. The Middle East is obviously a part of it, the kind of open skies, we believe, that’ll open trade.

**The Deputy Speaker:** The hon. member.

**Mr. Mason:** Thank you very much, Mr. Speaker. Last week the Premier had a friendly get-together and a smiley photo op with the ambassador of the United Arab Emirates. Given that just a few weeks ago the United Arab Emirates unilaterally closed the Canadian base used to support our troops in Afghanistan, can the Deputy Premier tell us why the Premier of Alberta is giving support to a dictatorship that puts Canadian lives at risk?

**Mr. Horner:** Mr. Speaker, I think that, one, that’s an irresponsible question. There is no Premier in this country that supports our Canadian troops more than this Premier. If he needs proof of that, as the minister liaison to the Canadian Forces in this province I challenge him to go and ask them himself.

**The Deputy Speaker:** The hon. member.

**Mr. Mason:** Thank you, Mr. Speaker. United Arab Emirates has been demanding additional deep discount flights to Canada. These are the equivalent of trade dumping tactics specifically designed to eliminate Air Canada’s business to the Middle East and Asia. The government of Canada has rightly refused to bow to the extortion tactics of the government of the UAE, but our Premier has supported the dictatorship in Abu Dhabi. Could the Deputy Premier please tell the Assembly why he wants to help the government hurt Air Canada’s business?

**Ms Evans:** Mr. Speaker, that’s a total distortion of the facts. A study published in July out of Winnipeg suggested that on average-haul flights over 3,300 miles the UAE flight costs were about 16 cents a mile, the American flight costs were about 28 cents a mile, and ours were over 40 cents. We have been pursuing an active open-skies policy that does not compromise us, and we are asking for fair and reasonable negotiations between the Canadian government and UAE so they sit back at the table and do the best they can for Canadian troops and for Canadian tourists.

**The Deputy Speaker:** The hon. Member for Calgary-McCall, followed by the hon. Member for Rocky Mountain House.

#### Green TRIP Incentives Program

**Mr. Kang:** Thank you, Mr. Speaker. The Minister of Transportation

continues to brag that this government is serious about cutting greenhouse gas emissions, yet transit and traffic woes remain a dominant issue for Albertans. The Green TRIP money expected to boost public transit still remains in government coffers. To the Minister of Transportation. Buses and LRTs are the priorities for Albertans but clearly not for this administration. When will the Green TRIP money be sent to Edmonton, Calgary, and other cities in Alberta for public transit expansion?

**Mr. Ouellette:** Mr. Speaker, I've got to make one thing clear to the hon. member over there. The Alberta government is not in the transit business; we're in the transportation business. With that said, we're here to help municipalities do everything they can to get people riding transit. As we speak, we are taking applications right now. I think the deadline for our first round of applications for Green TRIP monies is the end of November, and at that time you'll see some money go out.

**The Deputy Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Albertans are tired of the delays. It has been over two years already, Mr. Minister. Why hasn't the minister sped up this process already?

**Mr. Ouellette:** Mr. Speaker, needless to say, this hon. member hasn't been listening to what I just told him. I'm telling the hon. member that there will be stuff flowing out. We're waiting for applications right now. I don't know what Albertans he's talking about because the municipalities are happy to hear that we're open to applications right now.

**The Deputy Speaker:** The hon. member.

**Mr. Kang:** Thank you, Mr. Speaker. Are we talking about the airport tunnel here, too? Is there money for the airport tunnel in this? How can Albertans trust this government to build for tomorrow when it cannot follow through with commitments made years ago?

**Mr. Ouellette:** Mr. Speaker, I have to give this hon. member accolades for how strong he is on the Calgary airport tunnel. But I have to say that the Calgary airport tunnel is – is – a responsibility of the municipality of Calgary. We do everything in our power to get them all of the necessities to be able to go ahead with their infrastructure. There's not another jurisdiction in Canada that gives municipalities . . .

**The Deputy Speaker:** The hon. Member for Rocky Mountain House, followed by the hon. Member for Edmonton-Centre.

#### Mid-term American Election

**Mr. Lund:** Thank you, Mr. Speaker. Yesterday millions of Americans went to the polls. I know that the Minister of International and Intergovernmental Relations, as many others in this House, has been doing a lot of advocacy work in the United States. I would like to know from the minister what impact the election results might have on Alberta.

**The Deputy Speaker:** The hon. Minister of International and Intergovernmental Relations.

**Ms Evans:** Thank you, Mr. Speaker. Thanks to many representa-

tives in our government we've had a combination of ways we look after American relationships: through PNWER, through the Border Trade Alliance, through the Western Governors' Association. We don't expect relationships to change much. However, I will say that immediately our Washington office will be very busy contacting the new representatives and looking at strategies for informing new people. We actually have 15, 16, perhaps, new Republicans that will not have been informed, and it would be wrong to just make any assumptions that any partisanship would lead to any particular trade policies.

**The Deputy Speaker:** The hon. member.

**Mr. Lund:** Thank you, Mr. Speaker. Thanks for those comforting comments because I know that the energy industry particularly has a major concern with what might happen in the U.S. I'm wondering if they particularly have something to worry about.

2:10

**Ms Evans:** Mr. Speaker, this morning I met with one of our major oil companies, who noted with considerable pleasure the fact that both Ohio and Michigan as well as Pennsylvania had elected governors who were Republican, who had been openly stating support for the kinds of products that we ship south, which is good news in our export market.

I will also say that the meetings on behalf of the Premier with the West Virginia governor who is now a member of the Senate, a Democrat, who is very strongly and robustly supportive of the oil sands – we'll build on those relationships. We'll keep in touch with old friends.

**The Deputy Speaker:** The hon. member.

**Mr. Lund:** Thank you, Mr. Speaker. Now, I know that in California there were a couple of propositions that were voted on. One that was of primary interest to Alberta, I would think, would be the one on the climate change. I'm curious. What happened to that proposition, and what effect might that have on Alberta?

**The Deputy Speaker:** The hon. minister.

**Ms Evans:** Thank you, Mr. Speaker. California has a piece of legislation on climate change. The effect of this proposition, if passed, would have directed the state Legislature to suspend the climate change legislation until unemployment figures were less than 5 and a half per cent. Because that proposition failed by about a 6 to 4 ratio, we assume that those climate change provisions are in effect. With a Democratic governor we can make an assumption that most of them will be in place. We'll still have a lot of work to do on low-carbon fuel standards.

**The Deputy Speaker:** The hon. Member for Edmonton-Centre, followed by the hon. Member for Whitecourt-Ste. Anne.

#### Carbon Capture and Storage

**Ms Blakeman:** Thank you very much, Mr. Speaker. This government has one set of emission targets. The feds have a different target. The idea this administration is fixated on is carbon capture and storage, the most expensive method for reducing emissions ever at \$200 to \$500 per tonne of CO<sub>2</sub> that even the most optimistic agree will not come close to reaching either of these targets. So to the Minister of Environment: since the government is rapidly approving

oil sands development again, so clearly no reduction coming from there, which other . . .

**The Deputy Speaker:** The Minister of Environment.

**Mr. Renner:** Mr. Speaker, let's just clarify this whole issue of carbon capture and storage and whether or not the economics are in play. Clearly, when you involve new technology, there is at the outset a significantly higher cost that tends to come down over time. If someone doesn't take the initial impetus to get these projects under way, to prove up the technology, then we'll never get to the point where we can actually rely on this kind of technology to dramatically bring the kind of reductions we need in place.

**Ms Blakeman:** Okay. Well, back to the same minister, then. What is this ministry's plan B if carbon capture and storage doesn't pull through in achieving 70 per cent, because that's the target, of our emission reductions?

**Mr. Renner:** Well, the fact of the matter is that Alberta is not an island. It will be extremely difficult for Alberta to achieve targets if the rest of North America, indeed the rest of the world, is not on the same page. It doesn't do any good to Alberta to impose the kinds of restrictions that would be necessary if we simply drive the emissions offshore. So, Mr. Speaker, the plan is very clear. We need to continue our efforts to get . . .

**The Deputy Speaker:** The hon. member.

**Ms Blakeman:** Thanks. I don't think you can claim leadership and then blame everybody else if it doesn't work.

Back to the same minister. Another minister mentioned deadlines to apply for Green TRIP, but I'm wondering around what the government's drop-dead dates are for making decisions on the progress of carbon capture and storage. In other words, at what point does the government decide it's not working or not economical?

**Mr. Liepert:** Storage falls under my ministry. You know, this particular member of the House likes to ask the question: what if? What if the sky falls? Are we supposed to have a plan for: what if the sky falls? Mr. Speaker, we believe very seriously that carbon capture and storage will be an integral environmental and economic benefit to this province. I'm going to speak in second reading on our bill today, and I encourage the member to be here to hear it.

**The Deputy Speaker:** The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Calgary-Varsity.

#### Electricity Costs for Large Industrial Users

**Mr. VanderBurg:** Thank you, Mr. Speaker. West Fraser mill operates nine wholly owned forest products manufacturing facilities in Alberta and has a 50 per cent joint ownership in Alberta Newsprint in the constituency of Whitecourt-St. Anne. Their operations spend 12 and a half million dollars on transmission costs per year. My question is to the Minister of Energy. West Fraser claims that their transmission bill will double if the Alberta Electric System Operator's current plan to overbuild transmission occurs because of Bill 50. Is that true?

**Mr. Liepert:** Well, Mr. Speaker, first of all, there is no overbuild. What we are doing is that we are putting in place a transmission

policy: go to the landowner once. It will have the provision to expand as the economy of the province expands, but when that expansion is needed and that extra expense is about to be incurred, we won't have to go back and renegotiate with landowners to put more towers on. That infrastructure will be in place.

**Mr. VanderBurg:** Mr. Speaker, my next question is to the Minister of Sustainable Resource Development. Again, West Fraser claims that without changes to the province's transmission plans or policies, their facilities will be forced to close or build on-site generation. What will you do to continue to champion this industry so it can remain competitive, sir?

**The Deputy Speaker:** The hon. minister.

**Mr. Knight:** Well, thank you very much, Mr. Speaker. The fact of the matter is that this government continues to provide improved competitiveness for our forest industry, especially with respect to the energy part of their business. We provide funding that encourages companies to become involved in bioenergy production opportunities. This will decrease their electricity costs, of course, and their heat costs as well. The member's own riding provides a number of very good examples of bioenergy production.

**Mr. VanderBurg:** Mr. Speaker, my next question is to the Minister of Finance and Enterprise. Given that transmission expansion is needed for the future – and no one will argue that – will you find a way for the province to put some major dollars up for this expansion to ensure that we don't drive Alberta's business leaders away from our province?

**Dr. Morton:** Mr. Speaker, the policy of the government on this matter is pretty clear. Users pay for transmission. Industrial, commercial, residential, and agricultural users pay for that. Under this policy electricity costs in the province of Alberta remain competitive. In fact, they've dropped a bit in the last couple of years. We've certainly heard the concerns of large industrial users, indicated by my colleague here, and we're taking steps to make sure that Alberta remains competitive not just for residential and commercial but also large industrial.

#### Aboriginal Children in Care

**Mr. Chase:** Mr. Speaker, yesterday when I questioned why the government rejected recommendations from the child intervention report that would improve services for aboriginal families, the response was rather defensive. When it comes to their record on aboriginal children in care, this stalling government has much to be defensive about. To the minister: given that aboriginal children made up 50 per cent of children in care 16 years ago, a number that has risen to over two-thirds today, why hasn't this government already delivered a collaborative plan to bring these numbers down?

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

**Mrs. Fritz:** Thank you, Mr. Speaker. I'm pleased to address this question with this member. We all know the historical situation with the aboriginal community. Much of that relates to the socioeconomic conditions that are in the community, and it has grown. As I said, the trending has grown for aboriginal people on reserve and off reserve in child intervention for the care of their children and youth. I go back to that it relates to poverty; it relates to housing

issues. There are a number of issues on reserve that are historical and socioeconomic.

**Mr. Chase:** Some of those historical issues go back to residential schools, and those issues three generations later have not been resolved.

Given that Albertans waited for over a year for the release of the last review, how much longer is the minister going to take before she delivers this new model for aboriginal children in care that she vaguely alluded to yesterday?

**The Deputy Speaker:** The hon. minister.

**Mrs. Fritz:** Thank you, Mr. Speaker. I'm pleased to address that question as well. As I indicated to you yesterday, there are 18 delegated First Nations agencies on reserve delivering child protection services for the province. There are 10 child and family services authorities off reserve, who are co-chaired by a board, one aboriginal person and one nonaboriginal. The model this member would like to see put in place is one that mirrors our child and family services authorities in the middle, and I can tell you that aboriginal people would like to be involved in that solution as what I've heard from them is that that is not the right model.

2:20

**The Deputy Speaker:** The hon. member.

**Mr. Chase:** Thank you. It's time historically that we stopped taking Alberta's aboriginal children into custody. Why does the ministry continue reacting to the crisis of the day instead of investing in sustainable measures that will keep aboriginal families intact rather than placing their children in custody?

**Mrs. Fritz:** Mr. Speaker, I'm almost hesitant to answer that question in this Assembly. To say that we should not be involved as a Children and Youth Services ministry with assisting in the protection of children that are at risk in families, whether they be aboriginal or nonaboriginal: this department works very hard with staff that are eminently qualified to assist families. They either keep families together in their homes when their children are at risk by offering resources and funding or they take children into care and place them in placements that will benefit the child and, ultimately, the family overall – and I go back to it – whether they're aboriginal or nonaboriginal.

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

### Heartland Transmission Project

**Mr. Quest:** Thank you, Mr. Speaker. Many of my constituents are very concerned about the proposed heartland transmission line, a 500 kV line with 20-storey towers potentially being routed through the east TUC in Strathcona county. My question is to the Minister of Energy. What is the current status of the heartland project?

**Mr. Liepert:** Well, Mr. Speaker, we recognize that this is very much an issue that this hon. member and others in that part of the province are dealing with. The heartland transmission line was one of the four projects that was identified in Bill 50 as one of the needs. The proponents have made application to the Alberta Utilities Commission. The Utilities Commission has done extensive publication of the hearings process, that I believe is due to take place early in the new year.

**The Deputy Speaker:** The hon. member.

**Mr. Quest:** Thank you, Mr. Speaker. My supplemental is to the same minister. Last year a detailed study concluded that it's technically feasible to bury the heartland line. As a businessperson I couldn't make decisions without knowing what the costs would be. Can the minister confirm that accurate cost estimates are available for undergirding this project?

**Mr. Liepert:** Well, Mr. Speaker, it's my understanding that as part of the application process the proponents will offer some options there, and it will be up to the Utilities Commission to make a decision. We have to remember that what is being proposed by the proponents – there are two separate options. Certainly, one of them is in the transportation utility corridor, which the member is quite familiar with. There is another option. One of the options could be the burial of the line, but there are significant cost factors associated with that.

**The Deputy Speaker:** The hon. member.

**Mr. Quest:** No supplement.

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

### Carbon Capture and Storage

(continued)

**Ms Notley:** Thank you, Mr. Speaker. In January the respected *Journal of the American Medical Association* warned of health risks from CCS. They said that "inadvertent release of carbon dioxide (as must be considered in a . . . full-scale CCS program) would pose significant risks for asphyxiation to humans," and that "widespread use of geologic formations as storage for [CO<sub>2</sub>] could compromise . . . aquifers on which future generations may depend for drinking water." My question is this. Why is the Minister of Energy making Albertans bankroll this liability only to ensure that Albertans are the ones put at risk?

**Mr. Liepert:** Mr. Speaker, like any subject matter, I guess you can find a varied view of opinions out there. Certainly, the sequestration of carbon has taken place across the world for many years. We believe, as I will outline in second reading of the bill today – and I hope the member stays and listens – that Alberta has the appropriate geological formations to ensure safe capture and storage of carbon.

**Ms Notley:** Well, Mr. Speaker, given that government has already put taxpayers on the hook for up to \$15 billion by failing to collect adequate reclamation security from industry and given the scientific consensus that we do not have enough information to predict the likelihood of a CCS breach or its damage over time and given that insurance companies world-wide are refusing to underwrite CCS liabilities as a result, why is this minister so set on making our children's children pay the price for his recklessness?

**Mr. Liepert:** Well, I lost her about halfway through that preamble. What I will say, Mr. Speaker, is that that particular member has demonstrated on numerous occasions that we in this province and elsewhere need to ensure that our industry is cleaner and that we do something about emissions, and that is exactly what we're doing.

**Ms Notley:** Well, Mr. Speaker, I'd really like to see that happen, but it's not.

Now, given that the minister admitted publicly last month that, quote, there are real questions about whether it will ever be economically feasible, will the minister admit today that this government is gambling with taxpayers' dollars and jobs to promote an unproven technology doomed to failure as long as this government refuses to establish aggressive hard caps for CO<sub>2</sub>?

**Mr. Liepert:** Well, Mr. Speaker, it's always interesting how the members of the opposition like to take what you allegedly quote. What I said is that today it is not economically feasible, and that's no revelation. We all know that. I can tell you that the members who sat in this Assembly 50 years ago did not believe the oil sands were economically developable, but look what we've got a resource of today.

**The Deputy Speaker:** The hon. Member for Edmonton-Riverview, followed by the hon. Member for Lethbridge-West.

#### Fort Chipewyan Health Research Agreement

**Dr. Taft:** Thanks, Mr. Speaker. On Monday when asked about delay after delay for the health study in Fort Chip, the minister of health said he was giving one of the chiefs more time to sign a letter of intent, but the chief has made it clear that until there is a proposal from this government with a firm research plan and funding, the letter of intent will go nowhere. To the Minister of Health and Wellness: given that he has been personally working on this file for years without any substantial progress, will he just admit the obvious, that this government is deliberately stalling?

**Mr. Zwozdesky:** Mr. Speaker, nothing could be further from the truth. We've made great progress. Both chiefs from that area as well as the president of the Métis local would tell you that we did have verbal agreements, and two of the verbal agreements crystalized into written agreements. They're asking for an outline, first of all, of what they want addressed. They don't want things done to them or without them. They want things done together with them, which is why the Minister of Environment and I have travelled up there and met with them here as well in order to deliver on what they want done. That's what we're doing.

**Dr. Taft:** It's taking way too long, Mr. Speaker.

To the Minister of Aboriginal Relations: is it the role of this minister to be an advocate on issues like health and safe drinking water for the First Nations and Métis people of the Fort Chip area, and if not, why not?

**Mr. Webber:** Well, Mr. Speaker, I've worked quite diligently with the First Nations community up in that area. I've met with Chief Allan Adam, both up there and down here at the Legislature, on numerous occasions along with the Minister of Environment and, of course, the Minister of Health and Wellness. We're working together to provide advice to the chief regarding the letter of intent and to indicate to him that we are willing to work with him to get this health study going.

**Dr. Taft:** Well, Mr. Speaker, so far we have the Premier working on this, the Minister of Environment, the Minister of Health and Wellness, and the Minister of Aboriginal Relations, and nothing is happening. It's stalled. Serious issues are getting dragged out for years. To the Minister of Aboriginal Relations: when is he going to start taking the lead for the people he's responsible for and advocate aggressively and, if need be, publicly on this issue?

**Mr. Webber:** Mr. Speaker, again, I don't know how many times I have to tell the hon. member here that I have been working hard and diligently with all the chiefs up there along with my colleagues, and we are making progress.

Thank you very much.

**The Deputy Speaker:** The hon. Member for Lethbridge-West, followed by the hon. Member for Calgary-Glenmore.

#### Southern Alberta Transmission Reinforcement

**Mr. Weadick:** Thank you, Mr. Speaker. Several constituents in industries in Lethbridge have raised concerns over the proposed transmission plans in southern Alberta. My first question is to the Minister of Energy. Can the minister assure residents in southern Alberta and all Albertans that there is, in fact, an urgent need to invest in transmission reinforcement?

**Mr. Liepert:** Mr. Speaker, that was the whole essence of Bill 50. The reality is that there has not been major investment in our transmission upgrades for almost 40 years now. The southern Alberta portion of that line, however, is very important for two reasons. Primarily, as we need to on almost a daily basis bring power in from British Columbia, we need the ability to bring likely more power in the future. But, most importantly, that's a source of great renewable energy in southern Alberta, and we need to move it to where the market is.

2:30

**The Deputy Speaker:** The hon. member.

**Mr. Weadick:** Thanks, Mr. Speaker. My first supplemental is to the same minister. What's the current status of the southern Alberta transmission reinforcement project, and when will it be completed?

**Mr. Liepert:** Mr. Speaker, I'm going from memory, but I believe that the hearing process has been completed for several stages of this project. I think that the first stage is due for completion in about two years, and stage 2 is somewhere another two years beyond that. I think what this does is that it shows that you cannot build these transmission projects overnight. It's a long-term project, and that's why the urgency is there to get moving.

**The Deputy Speaker:** The hon. member.

**Mr. Weadick:** Thank you, Mr. Speaker. My final question is to the same minister. The proposed costs for this project have increased significantly in just the last year. Do we know how much higher this could go and what impact it will have on rates for customers in the area?

**Mr. Liepert:** Well, there are some misconceptions out there, Mr. Speaker, relative to cost escalations. You know, when proponents go before the Alberta Utilities Commission, they are asked within a 30 per cent range one way or the other what the cost would be. So you've got a lot of fluctuation there. It allows for things like increase in material costs and others. Very few industrial projects, whether they're public or private, at that part of the process can be accurate on their cost predictions, but there's one statistic that we need to remember. Residential consumers will pay \$1 per month for every billion dollars invested.

**The Deputy Speaker:** The hon. Member for Calgary-Glenmore, followed by the hon. Member for Athabasca-Redwater.

### Emergency Medical Services

(continued)

**Mr. Hinman:** Thank you, Mr. Speaker. On Monday I called for an empowered chief medical officer in every hospital as part of the Wildrose plan to address a temporary ER crisis. It is critical that local hospitals have local decision-makers with the authority to deal with these issues quickly and efficiently. To the minister of health: will you commit in this House to designate someone truly in charge at every hospital, who can open extra beds, move patients between wards and out of the ERs, and call in extra staff when these crises occur?

**Mr. Zwozdesky:** Mr. Speaker, that's a good question. The answer is that that's already happening now. Every hospital has what we call a site administrative lead, or words to that effect, or a site medical lead, or words to that effect. At each spot along the spectrum there is that local authority to work with certain situations such as some of the ones that have been described.

**Mr. Hinman:** Mr. Speaker, is the minister actually saying that there is someone in our hospitals who can move ER patients out and into other wards that are more appropriate, call in extra staff, and stop these unacceptable backlogs? If there is, why aren't they doing it?

**Mr. Zwozdesky:** Mr. Speaker, they are doing that, and as I indicated earlier, there are a number of beds that have been opened or will be opened over the next short while, and a lot of those were made by some of the people that they're talking about.

**Mr. Hinman:** Point of order.

**The Deputy Speaker:** We'll recognize the point of order.  
Hon. minister, continue.

**Mr. Zwozdesky:** Before I was so rudely interrupted by the member asking the question, if he wants some specifics about which hospitals are opening how many beds, I'd be happy to provide that to him. I have it with me, and I'd be happy to read it into *Hansard*.

**Mr. Hinman:** Mr. Speaker, they're allowing bureaucratic protocols and ridiculous regulations to sentence people to 12- and 24-hour terms. Again to the minister. [interjections] We have 35 seconds. Will you take this simple first step in our health care and dismantle your complex superboard and its stifling bureaucracy and regulations and allow decision-making in our hospitals to be accountable to patients instead of bureaucrats and ridiculous rules?

**Mr. Zwozdesky:** You know, Mr. Speaker, I find it very interesting that a party over there that calls itself so fiscally responsible wants to go back to a system where health care expenditures were growing by 10, 11, 12, 15, 20 per cent in some cases, and we're talking about capping the delivery system at 6 per cent increases. [interjections]

**The Deputy Speaker:** Hon. member, slow down.

**Mr. Zwozdesky:** If they could just not be so rude, that would be helpful.

**The Deputy Speaker:** The minister has the floor.

**Mr. Zwozdesky:** So we're talking about a guaranteed funding plan of five years with specific targets in place, and those will be adhered to.

**The Deputy Speaker:** The hon. Member for Athabasca-Redwater, followed by the hon. Member for Lethbridge-East.

### Heartland Transmission Project

(continued)

**Mr. Johnson:** Thank you, Mr. Speaker. My question is for the Minister of Energy. Some of my constituents remain very skeptical over the need for the heartland transmission project. Given that there has been a global economic slowdown and given that many potential upgrader projects are put on hold or even cancelled, can the minister tell my constituents why this project is still necessary?

**Mr. Liepert:** Mr. Speaker, I know the member has heard from some of his constituents that somehow the only rationale for the heartland transmission project was because there were going to be 10 upgraders built in the Industrial Heartland. That was never the reasoning behind the heartland transmission project. It is a very critical node between both the north-south lines and the line to Fort McMurray. We have significant cogeneration that is either on or coming on the system, and it's stranded as we speak here today, so it's a critical node for moving power around the province.

**The Deputy Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. My next question is for the Minister of Infrastructure. With respect to the same heartland transmission line project, self-proclaimed land experts have told my constituents that Bill 19, the Land Assembly Project Area Act, will allow the government to take their land to construct this project. Can the minister tell us what Bill 19's role is in regard to this project? Is it going to be used to take land for the heartland transmission line?

**The Deputy Speaker:** The hon. Minister of Infrastructure.

**Mr. Danyluk:** Thank you very much, Mr. Speaker. The heartland transmission project does not involve the Land Assembly Project Area Act. Let's be clear. There are two separate processes in place here: the process for the new transmission lines through the Alberta Utilities Commission and the process for large-scale transportation projects through the Land Assembly Project Area Act. Our law cannot be used for utility transportation projects. Please let it be clear.

**The Deputy Speaker:** The hon. member.

**Mr. Johnson:** Thank you, Mr. Speaker. For the same minister: can he respond to concerns I hear from some of my constituents that Bill 19 overrules the Expropriation Act and will eliminate landowners' abilities to go to expropriation, making the compensation principles laid out in the Expropriation Act no longer available to my landowners?

**Mr. Danyluk:** Mr. Speaker, our province continues to grow, and there are competing demands on the land. Our legislation does not take away from landowner rights. Landowners continue to have fair compensation, and if I can say, the difference is that now government must purchase land as soon as the landowner wants to sell it. Most importantly, however, if landowners want to go through the expropriation process, they can. The expropriation right is there for all landowners.

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

### **PDD Administrative Review**

**Ms Pastoor:** Thank you, Mr. Speaker. Yesterday the Minister of Seniors and Community Supports said that she has received the final KPMG report of the persons with developmental disabilities administration and service provider review. The minister said that it will be released when she has reviewed it. Albertans are aware of the slow process that this government can come up with. It could well be over a year before it's released, and vulnerable people and their caregivers are left in anxiety while they wait. To the minister of seniors: will the minister commit that the unedited final report by KPMG will be released before the House ends this fall?

**Mrs. Jablonski:** Mr. Speaker, the PDD program is a very important program to this government. Our Premier has said over and over again that vulnerable people are one of his greatest concerns. I'm very proud of the PDD program that we have. I've been to Lethbridge. I've been around to many locations in this province to hear what the stakeholders have had to say. Yes, they're the ones that directed me towards having an administrative review. We had that report. We're going through that report now. When we're ready to respond to the recommendations, we will release that in due course.

**The Deputy Speaker:** The hon. member.

**Ms Pastoor:** Thank you. I'm hoping that that meant that it will be the unedited version that will be released as well.

Given that the blue books show that KPMG has received over \$340,000 from the ministry of seniors in the first quarter of this year, will the minister tell this House specifically how much this particular report cost?

2:40

**Mrs. Jablonski:** Mr. Speaker, we have 9,300 vulnerable Albertans accessing the PDD program at a cost of \$600 million. In that \$600 million 20 per cent of the cost goes to the administration of the program. One of the things that I think is very important is to ensure that we're always having an efficient and effective program. The price that we're paying for this report from KPMG is \$185,000.

**The Deputy Speaker:** The hon. member.

**Ms Pastoor:** Thank you very much, Mr. Speaker. Thank you for that answer. The minister and I are certainly on the same page about why this review was so necessary.

Will the minister confirm in this House that the persons with developmental disabilities system will not be put through chaos by centralizing the community boards?

**Mrs. Jablonski:** Mr. Speaker, I have great concern for people in the PDD program. It is of paramount interest that we ensure that we don't disturb or upset the people in the program because of their vulnerabilities. I have said over and over again that this review is not about taking anything away from the program or taking anything away from our people in this program, but it's about improving the program. That's what this administrative review will do, and that's what we will aim for.

**The Deputy Speaker:** Hon. members, before we go further, I just want to remind the hon. Member for Airdrie-Chestermere and the

hon. Member for Fort McMurray-Wood Buffalo that when you have a conversation, there's a hall out there.

Hon. members, may we revert to a brief introduction of guests?

[Unanimous consent granted]

### **Introduction of Guests**

*(continued)*

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

**Ms Pastoor:** Thank you very much, Mr. Speaker. It gives me great pleasure to introduce to you and through you to this esteemed House on behalf of myself and my colleague from Lethbridge-West the remainder of the esteemed Team Lethbridge members. They are the leaders of our community. They are our aboriginal community, our vibrant and talented arts community, our entrepreneurial business community, social programs, and our college educational community. I will ask them to rise as I say their names: Jacinda Weiss, Robin Little Bear, Treena Tallow, Ian Randell, Christopher Babits, Melody Garner, Steve Baines, Del Allen, Larry Lux, Dianne Kotkas, Dr. Tracy Edwards, Peter LeClaire, Simon Griffiths, Cheryl Dick, and Shilpa Stocker. Thank you, and will you welcome them to the House.

**The Deputy Speaker:** We shall now continue with our members' statements. The hon. Member for Calgary-Fish Creek.

### **Members' Statements**

*(continued)*

#### **Health Care for Seniors**

**Mrs. Forsyth:** Thank you, Mr. Speaker. We hear horror stories about our emergency departments. They are not made up but come from experiences that our dedicated, caring health professionals face on a daily basis. They are incidents that emergency doctors have documented. They are real stories, and they are real people.

Why do I say "real people"? Because I was one of them. My mum is 86 years old, and she fell, so our journey began. After spending hours – and I mean hours – in the emergency, we were finally admitted. Now, we already knew my mum's elbow was fractured, and we already knew that she would have to have surgery. What we didn't know was the length of time it would take to get there. Not only did we wait hours in emergency, but we waited days to have the surgery. You have a vibrant, active senior who is now confined to bed for days, not eating and on an IV, and guess what happens? You get other complications: heart problems, fevers, and a senior that ends up in a hospital for six weeks. Now, we hear about our seniors and how they're tying up the acute-care beds. Well, it's no wonder why some of them are doing that.

I do want to commend the wonderful doctors, the nurses, the LPNs, the NAs, the pharm techs, and all the unbelievable other people that touched our lives when she was in the hospital. There is good news and there is bad news in these stories. On the good side are the dedicated, compassionate health care workers that work hard under unbelievable conditions. On the bad side is Alberta Health Services and the government who just doesn't get it.

Ten months ago I stood in front of reporters explaining why I was crossing the floor. There were numerous reasons, Mr. Speaker, health care being a major one. A broken system can be fixed. It can be fixed by providing the right care at the right time at the right place by the right health provider in the right period of time.

Mr. Speaker, no one could have quoted it better than my mum

when I asked her about our health care system and she said: it's the pits.

### Introduction of Bills

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

#### Bill 27 Police Amendment Act, 2010

**Mr. Oberle:** Thank you, Mr. Speaker. I request leave to introduce a bill being the Police Amendment Act, 2010.

Mr. Speaker, this act will modernize and streamline the existing police complaint and discipline process, which has been largely unchanged since 1973. The proposed changes come about as a result of considerable consultation, and their implementation will improve our processes.

Thank you, Mr. Speaker.

[Motion carried; Bill 27 read a first time]

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

#### Bill 28 Electoral Divisions Act

**Ms Redford:** Thank you, Mr. Speaker. I'm pleased to rise today to request leave to introduce first reading of Bill 28, the Electoral Divisions Act.

Bill 28, the Electoral Divisions Act, will update Alberta's electoral boundaries to reflect recommendations made by the arm's-length and independent Electoral Boundaries Commission.

In June 2010 the Electoral Boundaries Commission's report was presented to this Assembly. The commission was tasked with reviewing the existing electoral map and making recommendations for placement of new electoral boundaries in the province. The commission was directed to incorporate this increase of four electoral divisions for Alberta. The four new electoral divisions were necessary to reflect the fact that Alberta's population has increased by more than 1 million people since 2002, the last time that the electoral divisions were changed.\*

On October 26, 2010, the recommendations were debated, amended, and approved with changes to the recommended names of four electoral divisions. Bill 28 reflects the commission's report as amended by this Legislature.

The new Electoral Divisions Act will repeal and replace the existing act of the same name. Mr. Speaker, Bill 28 will bring Alberta's electoral boundaries and divisions up to date with its population and current needs.

Thank you.

[Motion carried; Bill 28 read a first time]

### 2:50 Tabling Returns and Reports

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

**Mr. Oberle:** Thank you, Mr. Speaker. In accordance with the Gaming and Liquor Act and the Government Accountability Act I'm tabling the appropriate number of copies of the 2009-10 Alberta Gaming and Liquor Commission annual report.

Thank you, Mr. Speaker.

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

**Dr. Taft:** Thanks, Mr. Speaker. I'm happy to table five copies of an article that came to me from somebody I introduced last week, Mr. Warren Stefanuk. They are from *Sociology of Health & Illness*, by Malcolm Nicolson and Cathleen McLaughlin, and the title is Social Constructionism and Medical Sociology: A Study of the Vascular Theory of Multiple Sclerosis. I should note that Mr. Stefanuk is with the CCSVI group in Edmonton. It looks like an interesting article, actually.

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

**Mr. Chase:** Thank you, Mr. Speaker. I have three tablings today. My first tabling is a letter from Shirley and Nick Mushey to the Minister of Tourism, Parks and Recreation which says that they believe that "the focus of TPR should be on committing resources to completing the province's protected areas network, and fulfilling existing commitments" and that information provided for the parks consultation does not provide "enough information to participate fully and meaningfully." They ask the minister to take their comments seriously and "do what is right for Albertans, the environment, wildlife and for future generations."

My second tabling is also to the Minister of Tourism, Parks and Recreation, this time from Jacob Herrero of Canmore outlining his opposition to redesignating ecological reserves, wilderness areas, and wildland parks because he feels "the term 'provincial park' . . . implies a recreation bias." He makes a number of other suggestions, ending by stating his support for the exemption of Siffleur, the White Goat, the Ghost River, and the Willmore wilderness areas as they are each unique and deserving of special protection. He adds that protection of species at risk and their habitat must be protected. [interjections]

**The Deputy Speaker:** Hon. member, do the tabling.

**Mr. Chase:** Thank you. Can you deal with the heckling, please?

My third tabling today is a letter to the Minister of Tourism, Parks and Recreation from Robert Smith of Canmore, who says, "In a world with steadily disappearing wild lands, species, declining air quality . . . we should be doing everything possible to preserve what we have left."

Thank you, Mr. Speaker.

**The Deputy Speaker:** Hon. Member for Edmonton-Strathcona, something to table?

**Ms Notley:** Thank you, Mr. Speaker. I'd like to table the appropriate number of copies of an article from the *Journal of the American Medical Association* entitled Health and Safety Risks of Carbon Capture and Storage. I referred to this article in my questions to the Energy minister today.

**The Deputy Speaker:** Hon. Member for Calgary-Glenmore, you have a point of order.

### Point of Order Factual Accuracy

**Mr. Hinman:** Yes, Mr. Speaker, under Standing Order 23(h), (i), and (j). It is very clear that the minister of health was trying to excite the Assembly. But what's most disheartening is the misleading in that he was specifically being asked if he has a chief medical officer who is in charge. He says that there is, and there just is not



one. There isn't one that's in charge of the whole hospital that can actually move and say that we need to open up some beds here or there. It's a process that isn't working. It's crippling. People are being sentenced to stay in the emergency room because there is nobody in charge. He is misleading to continue after three days to say that there is someone in charge, yet nothing is happening, and that would not happen. He needs to apologize and not mislead the House with his answers.

**Mr. Renner:** There is clearly no point of order here. The member refers to our Standing Order 23(h), (i), and (j). Mr. Speaker, (h) says that a member shall be called to order if he "makes allegations against another Member." I heard no such allegations by the minister of health. Standing Order 23(i) says "imputes false or unavowed motives to another Member." I heard the minister of health do no such thing. There was no allegation of imputing motives on behalf of the member. Standing Order 23(j) is "uses abusive or insulting language," and again I heard no abusive or insulting language.

Mr. Speaker, the Member for Calgary-Currie in his member's statement quite eloquently talked about some of the realities that we all face around this place with respect to question period. Historically, the Speaker has on many occasions, as I have been a member of this House, reminded members that the purpose of question period is to give the opposition and in fact give private members an opportunity to hold the government to account. There is not an obligation on the part of the minister to supply an answer that is to the satisfaction of the member. I would suggest that it is up to all of the members in the House to come to their own conclusion with respect to the adequacy or lack thereof of the answers that are given by the ministers.

So, Mr. Speaker, clearly there is no point of order here.

**Mr. Oberle:** Mr. Speaker, I wish to call a point of order at the conclusion of this matter.

**The Deputy Speaker:** This is not a debate, so I shall make a ruling now. I have the Blues here, and these are the words of the Minister of Health and Wellness. "Mr. Speaker, they are doing that, and as I indicated earlier, there are a number of beds that have been opened or will be opened over the next short while, and a lot of those were made by some of the people that they're talking about." That was when the point of order was raised. I don't see any point of order.

**Mr. Oberle:** Mr. Speaker, interesting that the hon. member would rise and quote 23(h), (i), and (j) as citations when under 23(h) it clearly says that a member shall be called to order if he "makes allegations against another Member." Then, in presenting his point of order, he accused the minister of health of misleading this House, which is unparliamentary language and an inappropriate allegation in this House. I ask that you call that member to order.

**The Deputy Speaker:** Does any other hon. member wish to speak on this point of order? The hon. Member for Calgary-Glenmore.

**Mr. Hinman:** I don't think the hon. Member for Peace River was listening to the discussion the last three days in question period. The point of all this is on (j). It says, "language of a nature likely to create disorder." The minister very much has given an answer that is inappropriate and misleading. The question is, "Is there a chief medical officer?" not whether or not there are beds that are open. Those beds aren't open; those people aren't being moved. If it was, Mr. Speaker, they would have been moved out 24 hours earlier.

They're totally missing, not answering the question, and they're exciting the House because of the misleading answer.

**The Deputy Speaker:** Hon. member, please sit down. I have some references here. First of all, I let the hon. member raise a point of order, and I let the other hon. member have some input. But my ruling is this: you can't call a point of order on a point of order, *Beauchesne* 318(1). Period.

Thank you.

3:00

## Orders of the Day

### Government Bills and Orders Second Reading

#### Bill 24

### Carbon Capture and Storage Statutes Amendment Act, 2010

**The Deputy Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Thank you very much, Mr. Speaker. I am so happy that the Member for Edmonton-Centre has found time to stay and hear some of the facts and also the Member for Edmonton-Strathcona because we're going to have a little fun here for the next 10 or 15 minutes.

I do want to first of all move second reading of Bill 24 before we get too far into having fun. This is the Carbon Capture and Storage Statutes Amendment Act, 2010.

Mr. Speaker, this act proposes three main amendments to facilitate large-scale carbon capture and storage technology. First, the legislation clarifies that the province owns all pore space in Alberta. Pore space is those tiny holes in porous rock, but in particular the ownership of pore space has never been defined in any legislation in the province. This amendment does not in any way change ownership of mines and mineral resources, nor does it affect activities such as enhanced oil recovery. Mineral ownership is still maintained by the current mineral owners, and nothing will change in that regard.

Secondly, this legislation enables the province to accept the long-term liability for injected carbon dioxide. Mr. Speaker, I need to be very clear on this, and this is important for the questions that were raised today. The province only accepts long-term liability once an operator has scientifically demonstrated that the CO<sub>2</sub> has been properly injected and long-term monitoring shows it is completely stable. As a prudent measure the government will ensure a fund is created and financed by CCS operators. The money will be managed by the province and used for ongoing monitoring costs and any required remediation, so it'll be similar in many ways to the orphan well fund, which has been operational for decades, and it ensures that wells that are abandoned by defunct companies are fully remediated.

Thirdly, this act creates a new fund which will be financed by CCS operators and used for ongoing monitoring costs and any required remediation.

These amendments are necessary to establish the regulatory groundwork which is required to facilitate large-scale carbon capture and storage projects. These amendments were the result of recommendations made by the provincial-federal EcoEnergy Carbon Capture and Storage Task Force and Alberta's Carbon Capture and Storage Development Council. These people, Mr. Speaker, are experts; many of us in here are not. They have spoken, and we have listened.

Alberta is just one of the many jurisdictions around the world that is reviewing the legal and regulatory requirements for CCS. In

October the International Energy Agency, the IEA, released a review showing that 16 countries around the world are making significant progress towards developing legal and regulatory frameworks. Alberta is the only jurisdiction and the first one in Canada to move forward with legislative amendments, so while others are talking about tackling climate change, we are acting.

CCS is a new technology, and quite simply it is a game-changing technology in the fight to reduce greenhouse gas emissions. Without regulatory clarity companies cannot pursue this technology. Let's be clear. The government is not doing this alone. It is both government money and industry's money that will move the technology forward, and it will reduce greenhouse gas emissions. Large-scale carbon capture and storage projects are ideally suited for our geology. They are ideally suited for our very experienced industry players, who have been honing and refining their technological expertise for decades.

Clearly, Mr. Speaker, these amendments are required for Alberta's continued leadership in CCS. Energy demand continues to rise. We know it's not a question of whether energy will continue to be developed. Rather, it's a question of how energy can be developed in cleaner ways. Carbon capture and storage is one of the solutions. This is an initiative all Albertans can and will be proud of. As a safe and secure supplier of energy with a growing presence on the global stage, our focus on CCS is not only good for Alberta and our investors; it's essential to our future.

Industry, government, and consumers need to tackle this problem together. We need to invest in clean energy technologies and new and greener sources of energy. We need to reduce emissions and reduce energy use. We expect our \$2 billion commitment to these four projects to be reducing emissions by 5 million tonnes annually beginning in 2015. That's just the beginning. Alberta's economy and much of Canada's, in fact, is largely reliant on energy development. This act will give Alberta a powerful tool with which to meet the unique set of challenges that we face and further cement Alberta's leadership in this area.

Now, Mr. Speaker, I've spent a few minutes talking about the environmental benefits of carbon capture and storage, but Alberta is fortunate. As I said, we not only have the geological formation to store the carbon under CCS, but there are also verified data that can tell us that some estimated \$20 billion in royalties may be derived over time by using CCS to extract oil from hard-to-get-at conventional reserves. This is one potential economic benefit from our investment in this technology.

I know there are some elected officials in this House, Mr. Speaker, who scoff at our CCS initiative. They say, and I quote: we're pumping \$2 billion into a hole in the ground. Now, I say that this is a narrow-minded view, and it's a narrow way of looking at this investment. Let me correct some of those comments. First of all, the \$2 billion is an investment over some 15 years. In fact, I would state here today that by the time the last quarter of these funds is being expended, government will likely be receiving more money than those annual expenditures on new royalties from enhanced oil recovery.

If government of the day took that same Neanderthal view some 40 or 50 years ago, as I said in question period today, development of the oil sands that is taking place today would not be anywhere near as developed as it is. We would not have the billions in royalty revenues that are accruing annually to this province through the oil sands. We would not have the tens of thousands of jobs in the oil sands, Mr. Speaker, that we have today. Canada would not be in as strong an economic position as it is today if it were not for the oil sands. If we listened to these individuals, who actually call themselves a party, we wouldn't have an industry today in the oil sands.

If we listen to them today, we run the risk of depriving Albertans of some \$20 billion in future royalties, not to mention a much cleaner environment and, in all likelihood, an ability to market a technology.

Part of our development of this technology is through the legislation that is being introduced in this House through Bill 24. Mr. Speaker, I would encourage all members to support this bill.

I adjourn debate on Bill 24.

[Motion to adjourn debate carried]

### Bill 25

#### Freehold Mineral Rights Tax Amendment Act, 2010

**The Deputy Speaker:** The hon. Minister of Energy.

**Mr. Liepert:** Well, thank you, Mr. Speaker. I'm pleased to move and begin second reading on Bill 25, the Freehold Mineral Rights Tax Amendment Act, 2010.

This act will ensure that business practices used by industry comply with freehold mineral tax legislation. First, it will do this by recognizing the electronic transmission of documents. It will also update auditing provisions to be consistent with the provisions of the Mines and Minerals Act. This includes increasing the penalty provisions to ensure industry complies with requests for audit information of \$200,000.

The act will also update appeal provisions to be consistent with other tax legislation. In the event that there is a disagreement, Mr. Speaker, regarding the amount owed, appeals by industry are currently referred to an appeal board. The appeal board was made up of members knowledgeable about the freehold oil and gas sector and appointed by the minister. There were three members in total. Members of the appeal board cannot be in conflict of interest with appellant, and as a result selecting qualified individuals to serve is difficult. Significant appeals that warrant a hearing have only occurred twice in the past 20 years. The use of an appeal board is not consistent with other Alberta tax programs. Under this amendment act industry partners can appeal directly to the Minister of Energy with a further ability to appeal to the Court of Queen's Bench.

To be clear, there are no changes to the overall program itself. Alberta Energy and industry engaged in a four-year project to streamline business practices between industry partners and Alberta Energy. Tax statement distribution was automated in 2008, and over 90 per cent of the FMT is assessed to freehold mineral rights owned by oil and gas corporations. All FMT reporting is done by industry. This also includes remittances on behalf of individual freeholders, and it does not change the act. The tax revenue averages \$300 million annually. It is recorded in the general revenue fund and contributes to the programs and services that benefit Albertans.

Mr. Speaker, this act is outdated. It needs to be updated to align with current industry practices, and passing Bill 25 will provide this.

I would move that we adjourn debate on Bill 25.

[Motion to adjourn debate carried]

3:10

### Bill 20

#### Class Proceedings Amendment Act, 2010

[Adjourned debate November 2: Mr. Drysdale]

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

**Mr. Hehr:** Well, thank you, Mr. Speaker. It is an honour and privilege to speak here today in favour of Bill 20, the Class Proceedings Amendment Act, 2010. I would like to thank my hon. friend

the hon. MLA for Grande Prairie-Wapiti for bringing this bill forward and bringing it forward for the people of Alberta in their pursuit of justice in streamlining the justice system. To look at what benefits Bill 20 brings, we're going to look at establishing procedural rules that enable one or more persons to advance an action on behalf of a group of people who have suffered the same or similar wrong.

The existing act serves three important purposes: increasing efficiency, improving access to justice, and modifying behaviours. While the act is procedural in nature, it is a powerful tool in accomplishing these three purposes. Efficiency is gained by joining together a number of lawsuits that might otherwise be brought separately. Access to justice is created by grouping together many small claims in larger proceedings in which the legal costs will be shared. Behavioural modification is obtained as claims that might otherwise go unprosecuted will be brought.

The purpose of these class actions removes the comfort zone for those who might assume that minor wrongs would not result in litigation. It is also important to remember that while accomplishing these purposes, the Class Proceedings Act does not create any single new causes of action.

If we look at that and extrapolate it, it enables more people to access our courts and seek justice. It really is a tool that allows for individuals who have had seemingly minor injuries or harms against them to join together and possibly pursue a larger claim against a government or a large corporation and, in some instances, when it would not be feasible to otherwise. Further, it's a case where individuals who have all suffered the same wrong can bind together and go get justice at a court and seek similar damages.

This will also save time for courts. Instead of hearing 500, 600 cases separately, they can hear all the actions at once and give a judgment in a case that would take less court time. It'll be an advantage for people using the legal system, and for the legal system itself it will save time. This will be definitely a help to our legal system.

There are also going to be situations with applications for a certificate to bring a class action suit where certification has been sought and the settlement will need the approval of the courts even if the application has not been completely addressed. At the moment the approval of the settlement by the courts is required, and the proceeding has to be certified a class action, where certification is pursued as a condition of settlement, to impose that settlement on individuals who would be members of the class. In simple terms, the change is aimed at protecting the interests of individuals who become members of a class or have joined a suit and are taking part in a class action.

The proposed amendments are simply an attempt to harmonize Alberta's legislation and the court system. The outcome of these changes will be greater efficiency, both provincially and nationally, and greater protection of potential members of class proceedings.

These are good changes to our court system, and it will enable Alberta's citizens both to participate in lawsuits here in Alberta and in other jurisdictions more easily. They are good amendments, and it was good to speak in favour of them here today, Mr. Speaker.

Thank you very much.

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

**Ms Pastoor:** Thank you, Mr. Speaker. I won't repeat what my hon. colleague has already said. One of the things that I think about class action suits – and it may be off on a tangent – is that when the average citizen feels that they really haven't got a hope going up against large corporations, this will give them some sense that they

can actually partake in the justice system. I'm trying to perhaps think of the fact that cars in recent years have been recalled because of problems with brakes or acceleration pedals, and people could well be killed or have very serious car accidents, so I believe that sometimes the ability to have a class action suit can be proactive in terms of having large corporations recall and fix the problems before someone has lost their life or just has very serious injuries that would follow them for the rest of their life.

As has been said, this is sort of housekeeping, trying to put together the harmonizing of the legislation and the court system, so I would support this bill.

Thank you very much, Mr. Speaker.

**The Deputy Speaker:** We have Standing Order 29(2)(a), allowing for five minutes of comments and questions.

Does any other hon. member wish to speak on the bill? The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. My understanding is that there are a couple other members who would like to participate in debate on this bill, so at this time I would move that we adjourn debate until a future opportunity arises for those speakers to participate.

[Motion to adjourn debate carried]

## **Bill 21 Wills and Succession Act**

[Adjourned debate November 2: Mr. Olson]

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

**Mr. Hehr:** Thank you very much, Mr. Speaker. It is indeed a pleasure to rise and again speak in favour of this act, Bill 21, the Wills and Succession Act. It was actually very interesting to listen to the mover of the bill, who is a lawyer, go into great detail about the changes to the Wills and Succession Act that we're bringing forward and give us a history of what in fact has occurred and some of the changes that this legislation brings forward. He noted that much has changed since the last time we did an update of the Wills and Succession Act.

We can see that the history of the Wills and Succession Act goes back a long way, almost to when our courts were invented, and they've been dealing with wills and succession and what happens to people's property, its intersection with the law, its intersection with contract. These rules and what happens to people who write a will, who have children, who have legal obligations and how they all intersect is really a bit of a commentary on our legal system as it has evolved as well as our family relationships as both individuals and the state are deemed to supercede or have the most importance. It was really neat to hear some of those things yesterday.

3:20

It also took me back to law school a bit, where in second year I had the privilege of taking a wills and estates course. Although I haven't always been the greatest student, I will say that I did receive a very good mark in that wills and estates class. Very good, very good. You know, I just sort of remembered that. I point that out. My mother was very happy about it anyway, needless to say.

Back to the merits of the bill. If we look at some of the changes that have occurred to this bill, it's really a pretty good piece of legislation. The Wills and Succession Act, as I indicated, seeks to update the law. Really, when this bill passes, it will consolidate five

other acts: the Wills Act, the Intestate Succession Act, the Survivorship Act, the Dependents Relief Act, and then section 47 of the Trustee Act. Really, this is doing a favour to family law practitioners, people who use the courts themselves independently, and for judges and clerks and the like, who have to go to use all these acts and bring them before the court of law to find people the truth, justice, and the Canadian way. They're trying to find out ways to get assistance, and it just makes it easier to do.

These are essentially the fundamental principles that were employed during the development of these proposed reforms. I stated some of them earlier. An individual is free to transfer their property to others upon their death, and any interference with a person's wishes must be justified. A couple of those reasons would be public policy or other family obligations.

When a person dies without formally indicating how their property is distributed, it will be presumed that they wanted it to be divested to their family members. That's simply the way the law has evolved. I think common sense dictates that if somebody dies without a will, they would want it to go to their families, and that is representative. Common sense is the way that law has evolved and, hopefully, will continue to evolve.

A person's freedom to transfer their property at their death is subject to the fulfillment of legal and family support obligations. That also shows that the court is cognizant of some of the deals and debts outstanding and support obligations that are out there. All these changes that have been made and proposed and publicly consulted upon were supported by stakeholders.

I'd also like to note that some of the language in the act has been updated to try and look at situations that have been modernized. One particular way is that the definition of child has been changed to update the numerous ways society has evolved and moved on and now deals with things. I think that's a positive change that we see in the act.

Also, a neat little thing. I, too, remember this. The hon. minister of housing might remember this. I'm not sure if he took wills and estates when he was in law school. In the survivorship laws when two people were deemed to have died at the same time, it was the younger one who was deemed to die last. That was always one of those little tricks that you had to employ in the law school thing, and I always thought that that was a little bit strange. Nevertheless, it was how the law had evolved. Now they've looked at that rule. Obviously, people had been asking that question, not only me, and they've now changed that rule.

If two or more people die at approximately the same time in a car accident, plane crash, in the same accident, for example, their property will be distributed as if each of the parties died before the other. In cases where property is jointly owned, it will be deemed to be split amongst the owners equally. This is consistent with public opinion on the matter as established by the government through this public consultation, and it harmonizes the principles regarding testamentary dispositions with those contained in the Insurance Act. So we're getting some consistency across different acts and bringing some more common sense into the legal system instead of harsh rules that may or may not reflect what exactly people wish, what is in the best interests of society.

The bill also, in my view positively, allows courts to rely on outside evidence, corroborate the intentions of a testator. So they can look at the situation and interpret wills more easily. Other rules have been brought in that appear to do the same thing.

The bill also breaks down things into other distinct parts that allow for a designation of beneficiaries under plans, a part that deals with family maintenance and support, and another part that just deals with any questions or concerns like gifts between couples or gifts between

members of a family. And the bill has I guess gotten rid of several outdated common law doctrines that have been around for a long time, which is a good thing.

All in all, this has been a good bill. The changes here reflect a laudable effort by the people involved. It was good stuff. I'm hoping it passes. It harmonizes existing legislation and brings Alberta's testamentary laws into the 21st century, and it's a good bill. There we go.

It was a pleasure to speak on it, Mr. Speaker.

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

**Ms Pastoor:** Thank you, Mr. Speaker. One of the sections in this bill is family maintenance and support. The changes would be that now a spouse or an adult independent partner of the deceased person will be automatically provided as a right the ability to continue inhabiting the home that the parties shared for a period of up to three months.

[Dr. Brown in the chair]

I personally would like to see that increased, and I'll explain why in a moment. It's a compassionate change made to reflect the emotional strain that death has on the surviving partner and ensures that they are adequately sheltered and they can't be forced out of the marital home by the children's wishes to sell it. The reason I'm thinking that three months isn't long enough is that sometimes you can't even get the house of the person who has passed cleaned out of their personal belongings. It's very, very traumatic.

But, more importantly, what I think that this will help do. We know that seniors' abuse is mainly because of financial reasons. Because of my previous occupation as an RN in geriatrics I really did see some very, very ugly situations where the elder parent was basically just steamrolled in this exact situation, that has been quoted as: they moved them into a nursing home or into some sort of care centre and then sold the house long before that elder person was ready to move. They never ever really settled down to the new place that they had been moved to, often knowing full well that they didn't have the money that would have come out of that house.

3:30

In fact, I've seen people moved, and they'll cry almost every single day because they know that their family has really not treated them well. There was one instance, in fact, where the woman didn't even have enough money to have \$4 haircuts. It was really quite pathetic. So I'm glad to see that this now will help protect, and there'll be some breathing room for these people that are left behind.

One of the others is consequential and related amendments, repeals, and coming into force. The proposed changes would require amendments to the Matrimonial Property Act in order to provide for the division and distribution of matrimonial property. Unfortunately, sometimes people die at very inconvenient moments, and they sometimes are changing partners. This is the sort of thing that perhaps that second partner is going to fight over when, in fact, it really should go to the first partner. So I'm glad to see these new ways. I think that they're using a new – I think the words were: reflecting the changing social values. Certainly, we realize that in Alberta there are changing values. The changes are consistent with the property rights that arise when the marriage is ended by divorce.

Finally, the bill would allow for a coming into force date that would permit the ministry, the courts, estate planners, legal practitioners, and the public to educate and prepare for this new approach. On the death of their spouse the survivor may make a claim for the

value of their share of the matrimonial property. This claim on the matrimonial property is to be paid from the assets of the estate, and only a living spouse may commence claims with regard to matrimonial property. The claims mentioned above will have no direct effect on the right to inherit from the estate of the deceased. The act, if passed, will come into force upon proclamation, which will be approximately one year following its passage, likely on January 1, 2012.

The applications that are proposed in this bill are an attempt to modernize existing practices, as I've mentioned, to reflect Alberta's changing social values. Another very unfortunate incident that happened was the death of a partner in a same-sex relationship, and the family had never really recognized that relationship. The person, who had actually been a partner for over 20 years, received nothing because the family, I guess, challenged, and they lost that. So it will reflect our changing values.

Mr. Speaker, just one more comment. The changes here reflect the laudable effort by the sponsor of the bill, the ministry lawyers, and various law reform institutes to harmonize existing legislation and bring Alberta's testament laws into the 21st century. I think that this bill is very important.

One of the other things that I'm sure lawyers would remember to talk about with people when they are making out their wills is that they actually have the personal directive that would go along with that. Often personal directives can protect the person in terms of where they're going to live, and it also would protect the spouse, where they want to live. So it all becomes part and parcel of the law.

With that, Mr. Speaker, I would adjourn debate.

[Motion to adjourn debate carried]

## Bill 22

### Family Law Statutes Amendment Act, 2010

[Adjourned debate November 2: Mr. Denis]

**The Acting Speaker:** Is there anyone that wishes to speak on this? The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Mr. Speaker. It is a privilege to get up and again speak in favour of Bill 22, the Family Law Statutes Amendment Act, 2010. I was here yesterday during the presentation of this bill on behalf of the hon. Justice minister, and there was a very detailed account of what is happening with the Family Law Statutes Amendment Act. From that review as well as from what has been put forward before me, it is a bill that is heading in the right direction in that it has modernized government policy regarding three distinct areas: the parentage and guardianship of children, the maintenance enforcement program, and interjurisdictional support orders.

All three of these areas are obviously of great concern to Albertans, families and people who are sometimes going through some strife. If there's one thing that our court system needs to try and address and to keep in front of, it's relationships. In any type of relationship, whether they're going great or they are having difficulties or the relationship has ended and there are children involved, there has to be a way for people to get help and direction and an ability to have the best interests of the child and some fairness and equity brought into those situations. Bill 22 is an attempt to make it easier for individuals who are going through some of these situations, to at least have the rules and regulations clear or as clear as they can be so that they can go into situations with their eyes wide open.

Let's just talk about some of the things under the parentage and guardianship of children. As it stands right now, the current Alberta law states that the parentage of a child is shared between two legal parents. We know that in most cases there's a biological father and mother. At the moment there is a somewhat limited recognition of exceptions for individuals to be recognized as legal parents in situations where parties are a same-sex couple or where nonbiological parents have relied upon assisted human reproduction. So in order to address the growing reliance on this and the recognition of children who are the products of a same-sex couple, the ministry has proposed through this bill the following policies in order to provide greater clarity regarding issues of parentage.

3:40

Where assisted human reproduction is used and there is a proper combination of biology and consent, couples using AHR can become the legal parents without any added need to begin adoption proceedings as long as one partner or spouse can show a biological connection to the child and the other individual consents to be a parent. In the case of a single individual using assisted human reproduction, that person may become the legal parent without another legal parent being recorded. As a result of these changes, same-sex couples who use assisted human reproduction will receive more complete recognition as single parents in close accordance with the Canadian Charter of Rights.

I believe my colleague from Edmonton-Centre will give a much more detailed account of this as I received a look from her that I may not be getting this 100 per cent correct. Nevertheless, I look forward to her adding some comments to this bill when I am done.

This policy change will result, hopefully, in a paradigm shift here in Alberta, where we can look forward to more people focusing on parents as just being people who love and care for children rather than being reliant on what their sex is or whether they've used AHR. Hopefully, we can continue moving in that direction and get there in due course.

The maintenance enforcement program has also been enhanced in this bill. It allows that for maintenance recipients that owe money as a result of fees, overpayments, and penalties, the money can be collected more frequently and with greater speed. It means the enforcement program would have the increased ability to demand information from government, businesses, and other organizations about creditors. The maintenance enforcement program can hopefully assist individuals in receiving their monetary orders in a much more speedy and expeditious fashion.

Also, a debtor will be required to have sought the negotiation of a payment arrangement with maintenance enforcement before an application to suspend an enforcement action can be brought to the courts. The maintenance enforcement program will have greater scope for information-seeking practices when attempting to locate debtors and their assets.

This is all good stuff for people who are involved in disputes. We all know that relationships break down; it's not a perfect world out there. People believe they have been aggrieved in one fashion or another or don't believe their responsibilities go as deep as they actually do, and people need to access and have the ability to get a hold of finances when they are just and deserving. These are good changes to allow individuals to access some justice, access some money, and to keep both themselves and their families afloat in situations where it's just and deserving.

We can also look at a positive in this bill: interjurisdictional support orders. Interjurisdictional support orders refer to the model statute currently enforced in all provinces and territories, except Quebec, that allows parties residing in different jurisdictions to

obtain and vary family maintenance orders quickly and easily. This seems like a reasonable thing, where individuals, if they are living here or were living here and go to other areas and need to get the help and assistance of courts, can bring applications there and get application changes made more quickly, where we can look at the applicable law that has been established by Alberta courts and simplify the processes for all parties who are involved in these difficult situations. I think this is a good thing.

In conclusion, sir, really, on all of these acts they've been positive changes to the way Alberta law will be organized and structured, allowing for more people, I believe, to get legal assistance in a more sound way and, hopefully, in a way that makes their lives better and to assist people in a more just fashion than may have been accorded to people prior to this legislation being implemented.

I thank you for giving me the opportunity to speak today, and I look forward to hearing other people and, in particular, the Member for Edmonton-Centre. Thank you very much.

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

**Ms Blakeman:** Thanks very much, Mr. Speaker. Clearly, staff in the Department of Justice have been working hard over the last while, and we're seeing the product of their work in a number of bills being brought forward this fall session, including class proceedings, wills, and this bill, Bill 22, the Family Law Statutes Amendment Act, 2010.

This is an important act, and it's an important act because it helps to legislate and regulate the most intimate relationships in our life; that is, those relationships of family, of parents to children, of spouses to each other. I spent an awful lot of time on this bill when it was first brought forward and, indeed, passed in 2003. That was the sort of huge reshaping of all of family law in Alberta. It was pulled together under this new Family Law Act. In fact, I spent one very, very long afternoon on November 27, 2003, as we worked our way through the government amendments – and they had a lot of them; I can't even remember how many, but it was dozens and dozens – to their own act and then my subamendments to the government amendments.

The situation that I was trying to address then is even more relevant today, and that is the situation when we look at families and who is in families today. We have a couple of different combinations and permutations. We can have married heterosexual couples, we can have common-law heterosexual couples, we can have married homosexual couples, and we can have common-law homosexual couples. We can have single people with children or single people without children. What's happening in the first section of Bill 22, the Family Law Statutes Amendment Act, is that there are some adjustments being made, but they do not capture all of the categories that should be captured.

I suspect that we are going to see this bill back in front of us again because if we continue with this, it remains Charter challengeable. You cannot make distinctions between, essentially, the same groups of people or people that are performing the same functions, and that's what we have here. The courts have been very clear in the way that that is being set out, yet with this government's personal philosophy – and I don't doubt that anyone here would deny it – there's a squeamishness there about addressing this issue head-on, and they won't do it.

For example, we talk about the best interests of the child, which was a very good philosophy to apply in this case and very helpful to the courts and anyone else that was making these decisions, but the government's view of the interpretation of best interests of the child does not include that child being in a same-sex parents household,

so they don't include that under the definition of best interests of the child. They must, and they should.

3:50

Those amendments that I was bringing forward on that November 27 afternoon in 2003 were all about trying to make sure that we were not assigning a gender to the roles that were involved under these family law statutes, yet the government insists on doing that. They insist on using genderized language like "mother" or "father" rather than "parent" or "husband and wife" instead of "spouse."

As I said, we have legalized same-sex marriage here. What do you do? You don't have a husband and a wife in those situations. You could have a husband and a husband or a wife and a wife, but you don't have what my hon. colleagues on the other side feel more comfortable with, which is that traditional heterosexual marriage. You're fixing a little bit of it, but you're not fixing the whole thing, so it's going to be back in front of us again.

The amendments that I was bringing forward back on that November day were trying to help that. You can't set up a situation – but the government has set up a situation – where you're dealing with surrogacy, where you have a biological connection from one person but not from another. The idea then and now: I maintain it has to be available to both same-sex and heterosexual couples, and the government maintains it doesn't. If you're going to say, "Okay; we recognize a birth mother as being biologically important in this combination, and then the other person we're going to presume is the father, and we're going to make it through these changes possible for them to just be assigned that father role and not have to go through court and literally apply through the courts to be designated as the father," good. That's exactly what you should have done and what I tried to make you do back in November of 2003.

The problem with this is that you're not making that applicable to same-sex couples, and you have to because you cannot distinguish that stuff, and the law has said that. We have married couples that are both orientations in this province, and you cannot say that it's okay for these ones but not for these ones because the law recognizes both of them. It is discrimination, and this is now making it institutional discrimination against a group of people who by law are perfectly entitled to be what they are and should be able to have the same rights and responsibilities and privileges.

There are things in here. At one point it talks about: a child can have a maximum of two parents. Well, an interesting way of dealing with a legal argument, but the fact of the matter is that you can easily have more than two parents. In the case of, as I've said, same-sex parents, you're going to have to deal with the fact that you've got more than two parents here, but once again the government refuses to recognize that. Again, you know, you may not like it, and I understand that. I know that lots of people are not comfortable with this concept and don't want to see it and don't want to see it for anybody else. I understand that. You still as legislators have to write the right law, and this is not what's happening here. We're writing bad law, we're writing challengeable law, we're writing law that can be brought before the courts, and we will lose.

Guess what? The taxpayers are going to pay for this, too. I maintain it's not responsible for us to knowingly pass bad law that can and will be challenged in the courts and forcing our taxpayers to have to pay the bill for somebody being intransigent in the government's philosophy. You may not like it, but it is the law.

I've talked a little bit about that concept of the best interests of the child, and I'll come back to that as we get into Committee of the Whole.

I'm delighted to see that there is a formal abolishment of the concept of illegitimacy. I can remember years and years and years

ago, when I was with the Advisory Council on Women's Issues, having those women from many different backgrounds – and, frankly, most of them reflected the government's political philosophy – being adamant that no child was illegitimate. How offensive to be able to label a child illegitimate because of the marital status of their parents. We recognize that now, and we've moved far beyond it, and finally the law is catching up here. That's very welcome and appropriate, but I cannot say timely because I think we're way behind the times.

But, you know, it's happened in our lifetimes. I remember my father, who grew up in a small town in southern Alberta, telling me about kids that he knew, and literally "illegitimate" was stamped right on their birth certificate. Can you imagine that? Some of those people, unless they've changed their birth certificates, could still be going and applying for passports and all such with that stamped on their birth certificate. Good Lord. What does that matter when you're trying to get, you know, a passport or a driver's licence or insurance or even get on a plane. Honestly, how could we possibly be judging someone and their character based on whether or not their parents were married. It's just a shameful time in our past. Glad to see that's happening.

I at one time was the expert on MEP, and I can't tell you how glad I am that I no longer am. For years and years, including when I was elected in here and the Member for Edmonton-Whitemud was the Justice minister and I was the critic for it, we had long, drawn-out battles about maintenance enforcement. All credit to this government for continuing to strengthen the maintenance enforcement laws that we have and to give more tools into the hands of the director. We finally did get enough work space for them, we managed to get the computers to talk to each other, and we managed to get to the point where we could actually calculate and the government could report on how much money was being collected on each account at any given time. It used to be that when you asked for that, they could say: well, you know, 40 per cent of our accounts were active. Well, that meant somebody could have paid a dollar, but the account was active.

We had no idea of how much money was out there to be collected. Remember, folks, that this money, maintenance enforcement money, is not spousal money. It's money for the kids. Every time we get drawn into those accounts about that gold-digging witch and that jobless good-for-nothing and all of the various nasty names that parents would call each other, it wasn't about them. It's about the child. This is maintenance money for the child. It pays for their school fees. It pays for their clothing. It pays for the family to live in a place that's big enough that children would have their own bedrooms, or at least differently-sexed children would have their own bedrooms. It was very appropriate money. It was important that this money was collected.

We had a society, and we still do, where it's considered okay to shirk from those responsibilities, and we had to keep finding more and more tools, actually bigger and bigger sticks, to use against nonpaying, usually noncustodial parents to fork over the money to pay for their kids. Anything that strengthens that Maintenance Enforcement Act is good in my books. We did go a little over at one point. It was a bit like every time they got a person, usually him, they turned him upside down and shook him until all the money came out of his pockets, and then they were trying to pry out the gold teeth and everything else. We did manage to come through that. The pendulum has swung to the centre, as appropriate, and I don't think we're quite so abusive as we could have been accused of being some time ago.

There are shifts in definition around the maintenance to enable reciprocal agreements. Oh, my goodness, thank you so much for

that. Trying to help someone get a reciprocal payment from another province or, worse, another country was a nightmare. The province's staff did tend to take those files and put them on the bottom of the pile because they were just so difficult to work. That doesn't matter. It's still a child in Alberta that is not getting something because a parent somewhere is not paying, and we should have every possible tool to be able to gather that money on behalf of that child who's living in Alberta. Glad to see that one.

The wording around "suspension" versus "stay" and "stay of enforcement" is fine. You know, part of what I was talking about earlier is reflected exactly in this, Mr. Speaker, because it talks about debtors and creditors. It does not make distinctions between mothers and fathers, male parent/female parent. It says: debtor and creditor. They could be either, and that's the point. It's about what this legislation is there to cover, yet we can't seem to move that understanding to the earlier part of this act and look at parent and spouse rather than mother/father, husband/wife. We still need to do that, and I will look at bringing forward that same series of amendments when we come back to this bill in Committee of the Whole.

4:00

Interjurisdictional orders, to be able to obtain and change them quickly and easily: again, really important because we're trying to get money to look after our kids. That's the point of this.

I'm very happy with two out of three sections in this bill; that is, the maintenance enforcement changes, the interjurisdictional order changes. I am not happy with the stage at which the work was left rather than taking it to its legal completion. That has not happened in the first section, which is around – I can't remember the name they're calling it now – the assisted human reproduction. We do have to deal with the issues around surrogacy. We do have to deal with the issues around parents and that definition.

Thank you so much, Mr. Speaker.

**The Acting Speaker:** Hon. members, section 29(2)(a) is available.

**Ms Pastoor:** I would like to ask the hon. Member for Edmonton-Centre how we might be able to handle the children of donated sperm and how that may come forward in terms of what we're considering new families in the 21st century. To take it further, should there be some way for children of donated sperm to actually know who their father is? It is becoming more and more and more important in society today and certainly controversial to people, who really want to know where they come from.

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

**Ms Blakeman:** Well, thank you, Lethbridge-East. That was opening a whole other chapter, but she's right. We are starting to understand some of the consequences of decisions that were made some time ago, particularly in the States, where this has been a more common procedure, more readily available for a longer period of time. We're now finding out that there are groupings or clusters of offspring of sperm donors, and they number in the hundreds from one donor. [interjections] I know. They had a different way of doing things. In Canada I'm very proud that we've always approached donation as a charitable act. [interjections] Hang on. Oh, the minds in this House. Truly, the minds in this House.

There is no payment. There is no exchange of payment. That certainly was the case in the States. Gentlemen were paid for the donation or, rather, sale of their sperm, so there was great encouragement for them to do it often, and as a result we now have hundreds of people that are related as a result of sperm donation.

This is an issue. To be perfectly honest, I had not looked through this legislation with that issue in mind, and I will undertake to do it before we are in Committee of the Whole.

At this point, Mr. Speaker, I would like to move adjournment.

[Motion to adjourn debate carried]

**Bill 26**  
**Mines and Minerals (Coalbed Methane)**  
**Amendment Act, 2010**

[Adjourned debate October 28: Mr. Liepert]

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

**Dr. Swann:** Thank you very much, Mr. Speaker, for my first opportunity to speak to Bill 26, the Mines and Minerals (Coalbed Methane) Amendment Act, 2010. I appreciate this opportunity as it's been one of the issues that has certainly exercised us and other Albertans over the last five or six years since coal-bed methane became so prominent on the Alberta scene and has contributed significantly to our energy mix and also created challenges, I think, for this government around environmental protection and other aspects related to water management, potential impacts of fracking, and some of the questions of reclamation in this unique new technology around gas in coal.

This bill classifies coal-bed methane as a natural gas subject to all statutory requirements. It clarifies ownership of coal-bed methane in split mineral rights situations, and I think that's important and significant.

As I indicated earlier, there are serious concerns around the environment which this bill, of course, does not address. At some point we certainly need to come to grips with, in particular, I guess I would have to say, the December 2008 scientific review panel that submitted their final report on the Alberta environmental standard for baseline water testing, giving 16 recommendations regarding processes of testing and recording, including the following, that "the ERCB and [Alberta Environment] need to develop an audit process to ensure all tests committed to in [directive 035] are conducted and the results submitted" and, secondly, that "the accuracy and precision of gas sample concentration analyses . . . need to be assessed." We have yet to hear further about that and certainly would be interested in hearing from the Energy minister or the Environment minister on those recommendations.

To the point, it's Alberta Energy's current position that where there is a split title, natural gas and coal, ownership is a matter to be determined by the parties involved. Where the parties are unable to reach an agreement, the matter is to be ruled on by the courts. There is currently no formal process to resolve this kind of an issue, so the conflicting owners' negotiator ultimately looked to the courts to resolve the issue.

I think, on our side, that this is progress. Since we raised the issue in 2003, when the bill was initially debated, we've tried to amend the legislation to address this issue. I guess this legislation is consistent with our expressed wishes back in 2003, and it is consistent with the legislation in British Columbia, so it is consistent with what we think needs to be done to clarify some of the uncertainty around this issue for those who have the freehold ownership.

Indeed, the issue is the question of: who owns the coal-bed methane? Under the split title question it clarifies three situations: one, where the coal rights are with the Crown and the petroleum and natural gas rights are freehold; secondly, where coal rights are freehold and the petroleum and natural gas rights are the Crown's; and the third situation, where coal rights are freehold, with petro-

leum and natural gas rights being freehold, held by a different party than the coal rights.

Coal-bed methane is governed by the same royalty system as all other natural gas production on provincial Crown land, and energy companies producing on Crown land must pay a royalty to the province for oil and gas, the overall objective being to ensure that the Crown retains a fair share of oil and gas production as royalty for Albertans.

Mr. Speaker, given some of the concerns that we've raised, I think it's fair to say that we have no serious concerns about this bill and will generally be supporting it. There are still some questions around, especially, southeast Alberta and some of the central coal-bed methane deposits, about who is responsible for the large volume of water that's produced. That's still unresolved. The legislation still does little to rectify the current issues surrounding well density, which is a big issue for some of the landowners as there are significant numbers permitted under the existing act that have raised real concerns with some landowners.

Thank you for this opportunity to speak, Mr. Speaker. I think that, in general, we'll be taking these issues under advisement and will likely be supporting the intent and the content of this bill.

Thank you.

**4:10**

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

**Ms Blakeman:** Thanks very much, Mr. Speaker, for the opportunity to speak in second reading on Bill 26, the Mines and Minerals (Coalbed Methane) Amendment Act, 2010. I did approach the concept of this particular act with some trepidation because when I realized that what it was trying to do was settle the issue of who owns the coal-bed methane, I thought: well, gee, if I was a landowner somewhere and I had mineral rights, I'd be a little PO'd if all of a sudden I found out that the government had sort of scooped any coal-bed methane that might lie in that by just passing an act. I'm sure we'll be hearing from some people who feel exactly that way.

I felt like I had some personal interest in this. I no longer do, but when I first bought my property, not that far from the Legislature, it actually had original title from Donald Ross on it, and I had mineral rights when I bought the property. It was actually right on the title. Here I had a piece of property in the middle of downtown Edmonton with mineral rights. Well, gosh, that was fun. There was a whole bunch of reorganization in that particular area, and it was – what's the word they use for it now? – revitalized or rehabilitated or something, infill. I ended up purchasing a small slice of land that got added to my lot. Of course, because we had to go right back and do a new linen – it actually was changing, and I had a new piece of property – as happens, as soon as I changed it, I lost the mineral rights under it. So even if we did find coal-bed methane under my little 33-and-a-third foot lot, I wouldn't obviously own it anymore.

The more I thought about this, I thought: "You know what? This is a nonrenewable natural resource in this province. Even though it lies under some particular person's property, it actually probably doesn't stay underneath that one piece of property." No matter where you stick that pipe in and get at the particular product, it probably actually lies under many more properties, so in the end it is appropriate that it's owned by the people of Alberta and administered by the government of Alberta.

What I would like to see come out of this is that maybe we could just start small, just a little pilot project, just a little test run for the government, and take the royalties that would be earned or any money that would be earned off this coal-bed methane, as the government now would own it, take that money and put it into



endowment funds for the future because anything we pull out of the ground now and sell or use is gone except for the money that it turns into. It's that old phrase from your physics class that, you know, matter never ends; it just turns into something else. Well, in this case it turns into money.

I still really believe in the concept that my colleagues and I brought forward, many years ago now, about taking nonrenewable resource revenue, a significant percentage of it – at that time I think we were saying between 30 and 50 per cent – and directing that revenue into several endowment funds. We had one endowment fund that was to help us catch up with needed infrastructure in the province. When that was done, then that money would flow directly into the heritage fund.

We had another one for postsecondary education. My dream was to be able to have that endowment fund reach the point where students in Alberta didn't have to pay for university or college, that we would be able to fund our universities and colleges from that postsecondary fund.

There was a fund for the arts – well, no surprise if I was in that caucus – again, to help fund new and forward-looking needs of our artists and arts groups, and then the heritage savings trust fund. Money would go into that fund as well.

I really still believe that that is an excellent idea. I know it's been pooh-poohed and that everybody said: oh, you know, it's not going to happen. I still believe in it, and I would still like to see it happen. Here's an opportunity for the government to take the revenue derived specifically from the coal-bed methane that they are now taking ownership of and to direct any profit, let's call it, whether that be in the form of a royalty or whatever else, into some endowment funds for the future.

It's just not right of us to be taking so much nonrenewable resource, that belongs to all Albertans, and spending it. Whether we're spending it on, you know, wonderful operational things like the provision of doctors in hospitals, for example, or new environmental provisions or whether we're spending it on infrastructure, which, in fact, is an asset, we're still spending the future's money. They have a right to be very critical of us by the time it passes on to the people that are pages, for example, working with us. They have a right to be really, really – well, let me pick a nice word – irritated with us if that wealth, that immense wealth, is gone because not only did we take it out of the ground, but we spent the money that it turned into. They have a right to be supremely irritated with us.

Here's what I'm hoping we can look forward to. I have wrestled with the idea that this is assigning the government, the Crown, the people of Alberta as the owner of coal-bed methane, a new, essentially, natural gas. Here is an opportunity for us to take a step along that road of endowment funds and start to look at that.

The other issue I had around this bill – again, I need a bit more time to read up on an absolute mountain of material – is the connections between the production of coal-bed methane and related environmental concerns. I'm not that interested in saying that the sky is falling – it's not productive – but I am interested in saying, "Look, if we know that there is a likelihood" – now, you'd want to be defining that likelihood. Is it 3 per cent, 10 per cent, or 25 per cent? In pulling this coal-bed methane out by whatever process – and I think that in some cases you're using fracking, aren't you, to get it out; you're fracturing the coal bed in order to release the coal-bed methane – that does have a repercussion on aquifers, on underground waterways, on well systems.

I think it's irresponsible for us to go: oh, whoever is complaining about that is imagining it. No, they're not. I mean, honestly, the effort you have to go to to try and bring something to the attention of government or any politician is enough to make anybody wilt. If

any landowner, you know, gets as far as coming to someone in this Legislature and saying, "I've got a problem with my well; you can light the water on fire," we need to be paying serious attention to that. [interjection] Yeah, if anybody didn't hear the thing about lighting on fire, it happened in Rosebud. They were here, actually. They brought a sample and lit it on fire for anyone that wanted to go to the rotunda and look at it.

4:20

I have concerns that the bill does not deal with the repercussions of the development and harvesting of that coal-bed methane. It may not be appropriate to put it in the Mines and Minerals (Coalbed Methane) Amendment Act, 2010 – fair enough – but it has to go somewhere. I think many times that you leave your colleague the Minister of Environment in a very bad situation by not paying more attention to what can go wrong. You cannot fool around with Mother Nature or any other way you want to designate that equilibrium that we have in the world.

What we're doing here is not a natural process, and therefore you are going to be creating unnatural results from it. We have to recognize that and have ways of working with it going in, not just pretending that it's not happening and trying to trivialize and defeat people that bring those issues to our attention. I think we need to treat them as legitimate and give fair investigation and, frankly, give the tools to the Minister of Environment to be able to investigate that. Give him enough money to monitor. Quit taking money away from him every darn year so that he has to cut more and more monitoring staff. I mean, unless you guys want to get on your overalls and get out there and do it, you've got to be paying for some professional to be able to do it, and I'd rather have a professional, thank you very much.

Those are the two issues that I wanted to bring up in second reading. In principle, clearly, I do support what is being suggested here, but I also clearly have reservations about that environmental side, and I'd like to hear a bit more. Oh, good. Then it's the Member for Calgary-West, the Minister of Energy. I'm so looking forward to how he's going to respond to the issues I brought up. But I think it is something we need to address. It might not be appropriate in this legislation, but it is appropriate to be dealing with it somewhere.

Thank you very much, Mr. Speaker. At this point I would like to adjourn debate.

[Motion to adjourn debate carried]

### Government Bills and Orders Committee of the Whole

[Dr. Brown in the chair]

**The Acting Chair:** I'd like to call the committee to order.

#### Bill 18

#### Government Organization Amendment Act, 2010

**The Acting Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Deputy Premier.

**Mr. Horner:** Well, thank you, Mr. Chairman. Yesterday I read and watched the robust debate over Bill 18. There were some concerns raised from the other side of the aisle, and we had support and agreement that breaking down barriers within Canada is a positive step in the right direction. As outlined yesterday, these amendments are required for two reasons: first, to bring monetary enforcement

provisions into the pan-Canadian agreement on internal trade and, second, to extend the existing provisions of TILMA to the New West Partnership trade agreement, that includes the province of Saskatchewan.

The enforcement mechanism under the AIT gives us the teeth that Alberta has been asking for. Like the hon. Member for Lethbridge-East said yesterday, one of the reasons the AIT did not work was because there wasn't any enforcement. That has changed and changed for the better. Also, by bringing Saskatchewan into the fold of the New West Partnership trade agreement, we are supporting the role of the west as Canada's economic powerhouse. Collaboration is key in the 21st century, and that's exactly what we're doing.

Now, yesterday there were some concerns raised, and they stem back to previous debates that we've had in this House over the TILMA agreement, so I'd quickly just like to touch on a couple of those. First, the hon. Member for Edmonton-Highlands-Norwood questioned how these types of agreements would limit municipalities. Specifically, he questioned the procurement thresholds. It is important to note that since 1999 municipalities have had to operate under the AIT and have open procurement policies. The thresholds were \$100,000 for goods and services and \$250,000 for construction projects. For the last year and a half under TILMA municipalities have been operating with slightly lower thresholds, \$75,000 for goods and services and \$200,000 for construction. Nothing is going to change with respect to procurement thresholds because of this bill. They will remain the same.

We also have to remember the real advantage of this agreement. It represents an expanded market for Alberta businesses, especially small businesses. Mr. Chairman, let me also assure all members that the New West Partnership trade agreement does not affect a municipality's ability to make decisions that they believe are in the best interests of their residents.

Another concern that was raised yesterday was over the fact that the trade agreements in general supersede the work that we do in this House. That is not the case. The AIT actually states, "Nothing in this Agreement alters the . . . authority of Parliament or of the provincial legislatures," and provincial governments are still able to pass laws that are in their best interests. These agreements just say that we have to be fair and nondiscriminatory in our trade practices with other provinces.

Mr. Chairman, I think we had some productive debate yesterday, and I hope that we've been able to add a little bit more clarity this afternoon. Passing this bill will improve interprovincial trade, investment, and labour mobility in the west and provide seamless access for businesses and workers with a range of opportunities. It will also increase our competitiveness in the global economy. The New West Partnership trade agreement creates the largest free trade and investment market in Canada, representing over 9 million people and a combined GDP of approximately \$555 billion. The enforcement mechanisms in the AIT will increase this agreement's effectiveness. I encourage all hon. members to support the bill in committee.

**The Acting Chair:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Yes. Thank you, Mr. Chair. I've already spoken to this bill, but I'd just like to add maybe a couple of more things. It really is bringing Alberta into line with recently established monetary enforcement provisions contained in the newly established dispute resolution chapter of the agreement on internal trade, and I think that we know that Alberta was successful in the recent past in terms of winning their dispute with Ontario in terms of being able to sell canola products in Ontario.

I think that probably the problem with TILMA – and we will hear it again – was that it was actually done before anybody even knew that it was going on. At least, this time it's come to the House before. I'm sure everything is in place automatically, but at least it's out here before. I do support it for a number of reasons. I would like to see and have always seen, even under the AIT, that a lot of our trade can go east-west within our own country as opposed to going north-south and going out of our country. In fact, some of our products leave Alberta, go to the States, and then come back into Ontario as a finished product. I'm not sure that we couldn't finish it somewhere along the line between Manitoba and Ontario before it becomes a product in Ontario. Of course, I'm basically referring to meat products.

The New West Partnership trade agreement could well precipitate other agreements between central Canada and then perhaps Atlantic Canada. I would be able to support that sort of an idea when, in fact, the Atlantic provinces can trade with different people. We are closer to the Pacific side, and of course we'll be looking at China and India. But where I would hesitate is that we cannot divide our country up into regional areas. If these regions are going to be separate in terms of trading partners, I want to see that there are some kinds of standardized rules, that the regions would then come together so that we still go forward as a country. I think I've already mentioned that; I'm sorry.

4:30

I guess I would just quickly sum up by saying that I think it is a good bill. I think that we must get together if we are going to be competitive in the global market. I think we all know that our Premier at this point in time is on a junket to India. I'm not sure what will come out of that. But the point is that I'm assuming he isn't just representing Alberta. He may well be representing this New West Partnership or at least being able to explain the principles behind it and who, in fact, they would be dealing with if they wanted to do business with this country and this province and this partnership. My understanding is that there is another province also interested in coming in under this partnership, which again would add some more strength and more products to be able to compete in that international market.

With that, Mr. Chair, thank you.

**The Acting Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Thanks very much, Mr. Chairman. There's just one thing that's occurred to me around this. Maybe someone could explain this to me or put on the record what the answer to the question is. I was recently made aware that with the harmonized sales tax, the HST, coming into effect in additional provinces in Canada, that was having some effect in Alberta. I think the original news story that was heard was that an Albertan ended up paying HST because of a Canada Post or express post package, which is their commercialized division, I think. But then I, in fact, saw our very own provincial finance minister in the news also talking about HST issues affecting Albertans.

Here we have, basically, a trade agreement that is meant to harmonize and liberalize exchange of goods and – I don't know; there's a phrase that you guys always use there – labour mobility and a few other things. I thought: hmm, I wonder if by expanding this now to include Saskatchewan, because that's essentially what's happened, somehow we will end up with Albertans now paying an HST from B.C. or Saskatchewan because we now have this agreement in place.

I thought, well, maybe it's just me that has this question. But then

I had a couple of other people raise it, and I thought: “No. If other people are questioning this and trying to figure out how this all works in, it’s worthwhile raising it in the House and seeing if we can get an answer from the sponsoring member – we’ve got the Deputy Premier here today – and just explain whether we think this is going to affect us.” According to the information that the minister of finance was talking about, it seemed to be also affecting financial services, which, I’m assuming, would be covered as well under these TILMA acts. I can remember having some acts in here that were around credit unions, I think, that had to do with how TILMA was going to work.

It seems thus far that TILMA has worked pretty well. I’ll be honest. I mean, I’m on record. I was not incredibly keen when the government tried to do it, but, again, mostly not because of the product but the process in that this was already organized and signed on before it ever came to this House. I just think it’s an incredible affront to Albertans to have a government go and negotiate and sign such an important agreement, never consulted or talked to Albertans about it at all. B.C. did, so it’s not as though it couldn’t be done. They definitely did. The only say that Albertans had was through their MLAs as we negotiated a couple of peripheral bills here in the House. As I say, I think one of them was around the credit unions and how they were going to operate between the two or insurance companies or something.

**An Hon. Member:** Insurance.

**Ms Blakeman:** Insurance companies. Yeah.

That’s the only issue that I can see. I’m just trying to figure out how that goes together. We’ve got the – I’m sorry, is it director of the Treasury Board? God of the Treasury Board? Minister of the Treasury Board? – President of the Treasury Board here. I knew it was close to God. Maybe he can answer my question about whether this is going to put us more in line to have Albertans end up being hit with HST because of this. I can’t see why it would, but I’ll ask the question.

Thanks very much, Mr. Chairman.

**The Acting Chair:** The hon. Deputy Premier.

**Mr. Horner:** Well, thank you, Mr. Chairman. Just to give some clarity to some of the comments that were made, first of all, I wanted to kind of take a little bit of issue with some of the phraseology around a junket to Asia or India, as it was described. The reason I want to do that as it relates to this particular piece of legislation is that it is about trade, and Alberta and Saskatchewan and British Columbia are dependent on trade. We’re dependent currently on a market to the south of us of some 250 million, 300 million people. But the reality is that that marketplace is not going to be large enough to sustain the kinds of markets in the next generation economies that we want to have in our province.

I know from discussions in the New West Partnership that that’s a similar issue for them, which is why the three Premiers went to China together to investigate areas and market opportunities in trade, which is why eventually down the road I’m sure the three Premiers will probably investigate the opportunity to take a trip to India as a joint area that represents, you know, close to a \$600 billion GDP.

This province is dependent upon trade. The Premier is actually helping us develop that trade market in an area that is one of the fastest growing markets in the world. It would be folly and irresponsible for this government not to have representation at senior levels in the nation of India, and I can tell you and tell all members of the House that the Premier’s agenda has been extremely packed. Senior

leaders of India’s states and the national government are coming out to meet with him, so they see it as very important, too, and those connections are building.

As it relates to the hon. member’s question around federally imposed taxes or other jurisdictional taxes that are related to the federal harmonization, really that comes under more of a tax jurisdiction nationally than it would under this three western premiers’ agreement. Obviously, we’re going to look to those Premiers for assistance in our efforts to recover those kinds of taxes in our discussion with the federal Minister of Finance. But in terms of whether or not that’s going to have a factor in this agreement, I believe that it does not. We can verify that, but I’m pretty sure that it isn’t.

The hon. member mentioned some credit union issues. They weren’t necessarily tax issues. They were around delivery of service and delivery of other products that some jurisdictions would allow, other jurisdictions didn’t. We’re working to some harmonization under this agreement as well on that.

I would also like to applaud the hon. member for recognizing that what we did was the right thing to do and that it’s working. I appreciate that. I think it’s a recognition that trade is important to this province, and trade is going to be more important to our next generation economies.

With those comments, Mr. Chairman.

**The Acting Chair:** The hon. Member for Edmonton-Strathcona.

**Ms Notley:** Thank you, Mr. Chairman. It’s a pleasure to be able to rise and speak to this bill at Committee of the Whole. Interesting points have been made up until now but still not ultimately changing our caucus’s concerns around this piece of legislation. Generally speaking, our objection to it is relatively simple in that it represents an extension of the application of TILMA, and that remains a regime with which we have some significant concern.

I guess just to start out, you know, we’ve had this conversation about how markets are good and expanding markets are good and trade is good for the economy. You know what? I don’t object to or disagree with any of those statements. I do, however, believe that as members of a democratic society we should always ensure that trade is seen as a vehicle for promotion of the public good and that we’re not, instead, looking at the public as being a vehicle for trade. That’s, I think, something that sometimes gets overlooked when people get lost in the sort of uncritical pursuit of trade agreements.

**4:40**

I do believe that there are occasions when government has a role to play to temper trade arrangements and/or to redirect them or to do the kind of thing that is necessary to ensure that the public represented within a particular trade jurisdiction get the best deal and have the best outcome collectively. I don’t buy that the free market is ultimately always going to be the best adjudicator of the public interests.

There have been, of course, a couple of points: “Oh, well, we’ve had TILMA now for a couple of years. It doesn’t seem to be a big problem. Therefore, let’s carry on and expand it to another full province.” Of course, the problem with these kinds of agreements is that if there are going to be problems with them, you’re not going to find them out right away. They need to wind their way through the adjudicative process and the negotiating process and the legal process and all that kind of stuff. There’s absolutely no reason to believe at this point, after two years, that because we’ve seen nothing, we won’t see anything, particularly given the two provinces that have currently been administering TILMA, the very right-wing

Liberal government of Gordon Campbell in B.C. and this government. No one here will be surprised to hear me characterize them as right-wing. I'm sure you'd like that in terms of, you know, helping to win back support from the third party at this point.

Nonetheless, with those two governments in play – these are not governments that are particularly active in terms of initiating legislative moves to, as I say, temper trade for the benefit of the public interest. Were there to be challenges of government action through TILMA – we would not be likely to see it in terms of the legislative history that we have seen through the Alberta government under the Premier and the B.C. government under Gordon Campbell. As a result, I am not prepared to say that the jury is in and the decision is made, and TILMA is not a problem.

I raise the same concerns that I had before, that TILMA is crafted in a way that is much more concerning than NAFTA, that it has a language that includes and grows its application rather than limiting its application, which is very different from how NAFTA is constructed. From a legal perspective down the road it could become more of an impediment to government action.

The other concern I have, of course, as has been acknowledged by the Deputy Premier, is that this action will definitely exclude local procurement policies and ensure that there is a very low ceiling over which municipal governments are unwilling or unable to engage in local procurement policies. It's interesting. Just as an aside, you know, I had an acquaintance who moved to Alberta a couple of years ago from another province and bought himself a plot of land out southeast of the city. Rather than hire a local contractor to build his house, he discovered that it was much, much cheaper to just buy a prefab house in Saskatchewan, throw it on the back of a truck, drive it over the border, and plop it onto his new land because things were just that much cheaper in Saskatchewan. I think we have to be concerned about what the implications are going to be to the jobs that you maintain we're going to be able to create through this process.

Ultimately, though, that's sort of the overarching concern that I have with this act and that we will continue to have. Thus, we will not support it. I believe my caucus colleague already made this positive comment, but I'd like, again, to echo it in that I am pleased to see that this legislation removes the Henry VIII clause. It was quite astounding to see that the government had made the decision to include it in the first round, and I'm certainly pleased to see that they have seen fit to remove that clause. That is certainly an improvement.

Ending on that positive note, those are my comments on this bill. Thank you.

**The Acting Chair:** The hon. Member for Lethbridge-East.

**Ms Pastoor:** Thank you, Mr. Chair. I would just like to take a very quick moment and point out to the House that I happen to have the Random House dictionary in my hand. The definition for junket is a trip by an official made at public expense. I don't consider the definition to be derogatory.

Thank you very much.

**The Acting Chair:** The hon. Member for Calgary-McCall.

**Mr. Kang:** Thank you, Mr. Chair. I spoke in favour of Bill 18. You know, it's just a good bill.

Since we are talking about the junket here, our Premier, I think we are coming out of the tunnel vision, and instead of looking just south of the border for business, we are going to make trade deals with other countries such as India, China. I mean, Southeast Asia has the

fastest growing economies. The Premier's trip is costing \$84,000, and I hope he comes back with \$84 billion worth of deals. My concern is only about the timing of the Premier's trip because this is the festival season in India, and it's the festival of lights, so I hope our Premier comes back enlightened and with all those trade deals.

On this here this is a good bill. It will break down the barriers between the provinces. I hope that this will increase our trade between the provinces and with other countries.

Thanks very much.

**The Acting Chair:** The hon. Member for St. Albert.

**Mr. Allred:** Thank you, Mr. Chair. I'd just like to make a few comments, if I might, on Bill 18. I certainly support this bill. I think it's another example of Alberta showing leadership in this country, firstly, with TILMA, with the agreement with British Columbia now expanding to Saskatchewan. Over the last 10 years, I think, in this country we've made remarkable progress with some of the mobility agreements, and we've started to break down some of these many trade-related barriers that we have.

The fact is, though, that we have freer trade with our neighbour to the south than we do between some of our provinces. Mr. Chair, I would suggest that this protectionist attitude is really a deplorable situation in this country. To have 14 jurisdictions – being the 10 provinces, three territories, and the feds – all with different rules and regulations on many issues but especially trade-related issues I think is a real problem in this country that causes more big government, more bureaucracy, and more expense at the expense of fairness and efficiency. Sometimes it reminds me of some of the silos that we have within our own departments, which, again, is a problem that we're trying our darndest to break down, but there's always this problem with turf protection. Everybody wants to do their own rules.

We're moving in this world to a more global economy, and again Alberta is a leader. The Premier is now in India trying to get some trade agreements with India. We have a lot of our private corporations that do deal with India, and that's good, but we need to continue to break down these barriers and start working together, whether it's within our own government or between provinces or on the international scene. Alberta has shown leadership, firstly, with TILMA, as I said, and now Saskatchewan, but we need to keep expanding, and hopefully we'll get the whole country working together for everybody's benefit.

Thank you, Mr. Chair.

**The Acting Chair:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Mr. Chair. It is a privilege to speak in favour of this bill at the committee stage and talk about the bill in a little more depth. I've had an opportunity to think about it a little more and how we've sort of been in line now here. This is going to extend our trade agreement not only to include B.C., as it did in TILMA, but to try and get things lined up with Saskatchewan.

I do note today from question period that it was kind of strange. When we asked today the minister of finance what his position was in regard to the sale of PotashCorp, I noted with great interest that the finance minister sort of stated he stood with Saskatchewan and their right to protect what is considered a crown jewel of the people of Saskatchewan and how PotashCorp came together by government funds and was started as a government-run enterprise and was then sold off to private interests now possibly selling PotashCorp to foreign interests.

4:50

I'm glad the hon. finance minister came back in because I was talking about the sale of PotashCorp. I was going through that. I was surprised at his answer when he said that he stood with Saskatchewan in agreeing that this sale to foreign conglomerates and other things was sort of against what principles he believed in or that our province believed in or whatever would be the case. I was expecting that he would say something like that he understood the free flow of capital and that markets are really the only thing that should dictate a company's price, not foreign ownership, and all this sort of stuff. So I was surprised at that answer.

I wonder if this agreement that we're going into is going to affect our stance on things like the sale of the Potash Corporation and other Alberta assets to foreign countries or possible foreign takeovers as the finance minister indicated that he was in support of Premier Brad Wall's stance against the sale of PotashCorp. Anyway, it surprised me. I'm not sure if this act will have any bearing on that; nevertheless, as we're talking about the relationship between British Columbia, Saskatchewan, and Alberta, I thought it was sort of neat to go through that.

Mr. Chair, I speak in favour of this bill, and we'll go from there. Thank you very much.

**The Acting Chair:** Are there any other comments, questions, or amendments to be offered with respect to this bill?

Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 18 agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Acting Chair:** Opposed? Carried.

### Bill 23

#### Post-secondary Learning Amendment Act, 2010

**The Acting Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Lethbridge-West.

**Mr. Weadick:** Thank you, Mr. Chairman. It's a pleasure to rise and speak to Bill 23 and introduce it at Committee of the Whole. We've had good discussion around Bill 23 over the past few days. Members of the opposition were very supportive of this bill, and we had a great discussion. The Member for Edmonton-Riverview told us that even in spite of the fact that this will probably have a personal impact on him, he still feels it's the right thing to do to benefit our universities across the province. So far I very much appreciate the support we've had from our opposition members, from our government members. This truly is a piece of legislation that will deal with a problem within some existing legislation around parking on the campuses for our universities.

I would propose a House amendment to amend Bill 23, the Post-secondary Learning Amendment Act. I'd ask if the pages could pass that out for me, please.

**The Acting Chair:** We'll mark that amendment as A1.

**Mr. Weadick:** Section 5 is amended in the proposed section 129.1(3) by striking out "section 3" and substituting "section 4." Currently section 129.1(3) contains the transition provisions of the bill that retroactively confer parking authority to baccalaureate and applied studies institutions. This makes references to section 3 of the bill. This is not the correct section as that section refers to our comprehensive academic research institutions. This is simply to line up section 4, referring to the baccalaureates, to match up with the existing part of that piece, to put the appropriate section in place. It's strictly a typo. I would ask the House to support this amendment.

Thank you.

**The Acting Chair:** The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you very much, Mr. Chair, and I thank the hon. member for bringing this change to our attention because without this change things can unnecessarily get mixed up, messed up, and the like.

It reminds me a bit of a situation on how these things sort of happen. My sister Kristie Smith, who is a lawyer, articulated with a firm called Blake, Cassels & Graydon. She was putting together a legal brief similar probably to one that we see on this bill, where numbering, in fact, occurs. I know the chair is a lawyer, so he knows the numbering of different bills and passages and sections and all that sort of stuff and how you bring it to the court's attention.

Well, anyway, my sister went over to Blake, Cassels & Graydon. She was working away at this stuff and thought she had done an amazing job. When she sent it over to her principal, they took him to court. Needless to say, the numbering and the paragraphs were all mixed up, and the partner who took it to court was not very happy. He came back, slammed it down, and said: "Yes. For all intents and purposes, that was a decent legal brief, but the devil is in the detail. Get your numbering right so you don't make me look like a jerk in court."

Needless to say, we didn't want that to happen in a situation like this, like happened to my sister when she was an articling student at Blake, Cassels & Graydon. This will no doubt save people time, frustration, and inclination. I'm glad for the hon. member straightening out this bill. I, too, am happy to support this amendment on that basis.

Thank you very much, Mr. Chair.

**The Acting Chair:** Are there any other members who wish to speak on the amendment?

Are you ready for the question?

**Hon. Members:** Question.

[Motion on amendment A1 carried]

**The Acting Chair:** We'll return to debate on Bill 23 as amended. The hon. Member for Calgary-Buffalo.

**Mr. Hehr:** Well, thank you, Mr. Chair. Continuing on, I'd like to again sort of speak on this bill and again thank the hon. Member for Lethbridge-West for bringing this forward, just noting that our universities and now our expanded universities with Mount Royal University and Grant MacEwan University are being incorporated into this act. They have many people who park there on a regular basis who are facing fines and the like when they park illegally or when they stay over time. This could add up to significant fine revenue, and if we did not change this bill in the manner that we

have, the province and the universities could have been susceptible to a court challenge. This would have no doubt been a costly venture that would have cost the universities money to hire lawyers to go out and defend this lawsuit, and by all accounts they very much could have lost. So it is important for us to do this.

5:00

We all know that university funding here in Alberta is arguably not as solid as it should be. You can point to the fact that Alberta has some of the fewest university spaces per capita of any province, and this is a concern. If we were going to add to the financial difficulties that our universities have by making them defend lawsuits of this nature, it would have been a shame. So I'm very glad that we caught this, that we have updated our legislation to protect our universities in this way and can go forward in that fashion.

I would also like to say that I know the University of Calgary and word on the street is the University of Alberta are very proactive in getting their students to try to take public transportation. One of the ways they do that is by sort of increasing the price of parking so that people are encouraged through the supply-demand curve to take transportation. Also factoring in there are the high fines you get for parking on university parking lots. Where you don't feed the meter or get your credit card out and get the proper thing, you are accorded a substantial fine, and if you do it again, you get your car towed. This inevitably leads to another financially punitive measure that also encourages citizens to say: "Hey. Well, I don't have money to pay the meter or for the \$20 for parking. I'm going to take public transportation." This helps alleviate the use of our roads; it helps eliminate CO<sub>2</sub> emissions, all that sort of stuff. So there's good reason why the universities have such a tenacious parking authority that goes after violators in such a fashion because it's with a public purpose at hand.

This bill, speaking on the bill, ensures that those people not only continue to monitor the parking that is going on at the universities but keep on going on with their public policy purpose of trying to encourage young students and people who are coming to the university to get to the university on some form of public transportation.

I would like to thank you, Mr. Chair, for the opportunity to speak again on the bill and previously on the amendment. I look forward to hearing more comments and questions on this bill going forward.

**The Acting Chair:** The hon. Member for Edmonton-Centre.

**Ms Blakeman:** Yes. Thank you. I don't want to take up a lot of time in debating this bill; I just have one little concern. As you know, I don't drive very much, but being a downtown MLA, when I do have to drive, everywhere I go I have to use a parking meter because that's the way parking is downtown. There are these little creatures that exist in my world and probably in yours called parking fairies. As you're driving up to a meeting late and desperately praying that there will be an open parking spot right in front of the building that you need to go into, you look through your front windshield and start praying to the parking fairy that that spot will open up and, better yet, that it'll be plugged; there'll be time left on the meter. You can't do it every time, and you can't count that the parking fairy is going to come through for you, but it's always worth praying to the parking fairy.

So I just want to reassure any parking fairies that are out there, particularly the BASI fairy godmother parking fairy, that we don't mean any disrespect by this, but it has to be done. We're going to retire the BASI fairy godmother, who was looking over all of those

postsecondary institutions and enabling them to not be able to legally collect the fees. She can retire now because with the passage of this, they will be able to collect the fees and assign them and have dispute resolution and all the rest of it. But whenever I next drive a vehicle and I'm desperately praying to the parking fairies that that spot opens up right in front of the building that I need to be at, it doesn't mean that I've shown any disrespect by supporting this bill.

Thank you very much.

**The Acting Chair:** Are there any others? The Member for Edmonton-Strathcona.

**Ms Notley:** I, too, will be brief. I rise to tentatively support this bill and just raise a couple of concerns beforehand. Essentially, this whole notion of giving the universities the opportunity and the ability to collect their parking fees is important. And do you know what? It's possible that in saying this, I could actually sort of get myself in trouble because I, of course, have probably had various marks and things withheld from me for not necessarily having paid my parking fees in the most timely of manners.

**Ms Blakeman:** Library fines.

**Ms Notley:** Library fines. Absolutely. That was embarrassing. I still recall my mother being so irritated at me for not getting my diploma the day I was supposed to.

Anyway, all that being said, I do actually think that, I mean, this is a resource that universities have. Many universities are in central areas. I, frankly, think parking is something people should have to pay for. I think most of the people that are using parking in universities are people that can afford a vehicle, you know, when most of the students are actually relying on public transportation. Frankly, the more we can get people to rely on public transportation to get to universities the better. So as much as parking fees are desperately annoying, and I will undoubtedly fall victim to this repeatedly in the future, I think that it's an important thing to give universities the ability to collect these fees.

I raise some concern about the fact that this is a piece of legislation that seeks to retroactively create different legal rights. I will acknowledge that I've been unable to listen to all of the debate on this issue up to this point, so I'm not sure of the degree to which this has been fully canvassed by members of the Assembly up to this point. But I raise concerns about this because, you know, this seems like something fairly minor.

**Mr. Hehr:** I'm interested in this, how you're going to pull this off.

**Ms Notley:** How I'm going to make this all work?

Right now we're retroactively creating a right that did not exist up to this point. Right now it's parking fees, and we can all agree in principle on the public policy objective of that. You know, a decade ago it was the retroactive elimination of legal rights with respect to sterilization. You just never want to be going back in time to create or eliminate legal rights at a different time.

As I say, I'm raising the concern. That's where I will leave it at this point, but I certainly put the Legislature on notice that in future we'll take a look at this sort of retroactive application process with a great deal of scrutiny.

Thank you.

**The Acting Chair:** Are there any other members who wish to speak on the bill?

Are you ready for the question?

**Hon. Members:** Question.

[The clauses of Bill 23 as amended agreed to]

[Title and preamble agreed to]

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

**Hon. Members:** Agreed.

**The Acting Chair:** Opposed? Carried.

5:10

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

**The Acting Chair:** Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Fort McMurray-Wood Buffalo.

**Mr. Boutilier:** Thank you very much, Mr. Chair. I know the Minister of Transportation, the hon. Member for Innisfail-Sylvan Lake, is astutely listening to my comments this afternoon with interest. With that in mind, I would like to say that I realize that my good friend Luc, who happens to be a constituent of mine, provided me with some interesting comments. He mentioned the comment: I realize that it is harder to fight tickets when there is no question of judgment. That's why many want the list of offences so that it reduces the burden of proof.

Now, let me articulate on that. As my good friend Luc, my constituent, had said: whenever you make penalties easier to levy, there is always a trade-off. And, particular to this issue, while in many ways we want to do things that make the jobs of law enforcement officials easier, we should also be vigorous in balancing out the rights and the freedoms of individuals and all Albertans.

In particular, I do have a real concern about pulling people over, as my good friend Luc said, and basically giving them tickets when they're not obviously putting anyone in danger. It made me pause for a moment as I listened to my constituent. We were having a coffee at the doughnut shop last weekend, actually, and in doing so, we paused to think: will this Bill 16 be a good bill? Will it help? Will it help families and drivers? Or is there a good reason to have the judgment of police officers involved in these things? I certainly value the judgment of police officers, especially when they've stopped someone else and are giving them a ticket as I drive by. But if the driver was not driving in a way that raises any suspicion, I'm reluctant to criminalize their behaviour because the issue of judgment does play a role there.

In many ways the Minister of Transportation perhaps should be considering a more prescriptive area to assist our law enforcement officers in, ultimately, the destination I think we all want to get to. That destination is safer highways, safer driving, and for those who have the privilege of having a driver's licence in Alberta – because it truly is a privilege to have a driver's licence and to use the roads and the highways and transportation devices that are provided.

**Mr. Anderson:** Unless you're the Transportation minister. Then it's a right.

**Mr. Boutilier:** So the question is: is this a privilege, or is it a right? Some may have a variety of views on this point, but if citizens are driving in a way that shows they are not being attentive enough, I'd like to have a ticket with demerits attached because that's a driving infraction that should be penalized.

Now, it's important to recognize that I'd like to provide some general qualified support. I recognize that there are people out there who are driving dangerously because they are too distracted by things they are doing in their cars. I think we've all seen examples of text messaging. It is, certainly in my judgment, absolutely the most extreme example. I'm mostly in favour of this law for that reason because we've had a personal experience, that I would like to share with you, and citizens have talked to me about this issue in my great constituency of Fort McMurray-Wood Buffalo – you may not be aware, but it is the oil sands capital of the world – and I hope that any proposed law or bill will drastically reduce the frequency of that happening.

I want to use the example of the heavy equipment that travels through the oil sands capital. In the situation that we experienced, both my wife and I and also our three-year-old son, who was travelling in his car seat, properly secured, were almost killed by a driver who had been texting. In fact, we were in the intersection, and the vehicle basically did not see the red light and was coming through the intersection at quite an intense speed. I think all of us in this Assembly can agree that the safety of our families and our loved ones and the safety of all Albertans is foremost.

I would like to say today that I recognize that there are people out there who are driving dangerously. I'll even go so far as to say that my wife actually slapped me on the side of the head. Yes, she did. I was backing out of my driveway, and she hit me on the side of the head because I dared to pick up my cellphone at the time. I had to stop and put the car in park as the rear end of the car was over the sidewalk. I can only apologize to my wife and my son because it was fundamentally wrong. Actually, for anyone who has never seen the movie *Seven Pounds*, I think it is a wonderful example of scaring the living daylights out of anyone who does believe that it's okay to be doing certain things in terms of what took place in that movie, that I thought was really quite educational.

I want to thank my wife for slapping me on the side of the head and reminding me that I should not have been picking up my phone to hold the phone to my ear at the time when I was backing out of our driveway. It made me pause. I am once again learning from Gail and what she did, and I can only say that I hope others, if they are ever in the same situation, will learn quickly.

I would like to offer my general qualified support for the bill and also on behalf of my constituent Luc. He clearly indicates that he believes this is important because of situations that have taken place in the past.

Having said that, it was for me a teachable moment, and I will say and commit here that if this does become a law and is approved – and I encourage members to support this. I do believe in individual rights, but I also believe that we need to learn. I would ask all members of this Assembly here today: who, in fact, has felt distracted because they were texting or has used their cellphone and it distracted them from driving? I'm going to look now and ask: who will put up their hand and admit that they were distracted by texting? And to my good constituent – Luc is his name; that happens to be similar to the name of the Minister of Transportation. I think he spells it with a C not K-E. Having said that, who in here was ever distracted by a cellphone? Put up your hand now. I see other members putting up their hand.

When my wife hit me on the side of the head, it really was a teachable moment for me that I had to do better. I think this law, in fact, needs to be approved by this Assembly. We need to do this not only by the law, but the spirit of the law, which I do believe the Minister of Transportation is attempting to create. I tell that story as much as it is a personal story. I don't like getting hit on the side of my ear by my wife, but I tell the story because of the fact that she

said: Guy, stop. I had to put my car in park. Consequently, I do believe in natural law, and that was truly natural law. As much as this may be legislative law, natural law truly does work, and it trumps everything else.

5:20

I believe that the burden of proof – the more prescriptive we could be I think would be helpful. Overall, I do believe that we will have to examine very closely over the next few years, if this bill is approved, to see if it does improve road safety because there really is a trade-off in personal freedom, which, of course, we all enjoy. I also want to feel comfortable. Perhaps this law is just simply too blunt. I'm willing to give it the benefit of the doubt. If it turns out to be ineffective, which is one option, I'll certainly be looking to the Minister of Transportation to look for other alternatives to it, that he will not hesitate to revoke it and replace it with something that better addresses the problem in terms of the destination we all want to reach.

Now, at this point only time will tell if, in fact, we will reach that destination. To use transportation philosophy, you know, sometimes the journey itself is the destination. I do believe that the journey of not being allowed to text, not being allowed to be distracted because of the potential new law that comes forward is something that I will look at very closely.

I would ask that the Minister of Transportation, if this bill is supported in this Assembly, review the situation in a year's time to see the evidence. I hope he can come back and offer to the members of this Assembly concrete evidence. I actually sat in the PC caucus when this very discussion came up. I sat in the caucus when the Minister of Transportation was there. Clearly, in a question and answer I really wonder if, in fact, he believes that this bill will achieve the destination that we all hope will be the outcome in terms of the trade-offs of giving up personal freedom for something that will protect Albertans. Only time will tell, but I'm willing to give the Minister of Transportation and this Assembly my qualified support for this bill at this time.

When I go back and talk to Luc in my constituency – that's L-u-c – I'm going to be sharing with him that the Minister of Transportation was listening intently to my comments this afternoon. I see that the Member for Innisfail-Sylvan Lake is nodding in agreement. I am going to say to him that qualified support is something that I offer. I would ask that the minister a year from now report back with the statistics so that we can be even more convinced that this bill was the right bill to make Alberta's highways safer.

Now, in making Alberta's highways safer, I do have other friendly advice, and that is, perhaps, to put some pavement on highway 63 going to the oil sands capital of the world since we did not get any pavement in the last two years.

**Mr. Anderson:** Highway safety. You can be distracted by the bumps on the road.

**Mr. Boutilier:** Highway safety. Well, one has to ask the question, you know, the detours, the incredible amount of – there is some work going on there, but we haven't seen any pavement in the last two years.

I see the member from – I think he's the Solicitor General. He wants to offer some comments. I would welcome them, but I'm only going to respond to intelligent comments at this point, so consequently I would only say that I will provide general qualified support at this time.

To the good folks up in Peace River country, I can only say a beautiful part of the country, I would strongly suggest that the

member get out and start door-knocking because he's going to require that when it comes to the next election.

Having said all of those things, I believe that I want to say that the Minister of Transportation is trying to reach a destination that is good for all Albertans and for my three-year-old son and for his sons, and I think that is to be applauded. As an opposition member, having served as an independent and served for 13 years with the PC government, I know the Minister of Transportation will do his level best, and I look forward to him reporting back to this Assembly in a year. Now, in a year's time, hopefully, he is still the Minister of Transportation and hasn't moved on to become the Premier. Having said that, I will say that I will look forward to his findings on trying to reach that destination of making Alberta's highways safer.

I can only apologize to my wife and my three-year-old son for being distracted on our driveway and not, I'm proud to say, on the highway to avoid any potential danger taking place. That's why this afternoon I offer my general qualified support, recognizing that there are people out there who are driving dangerously because they are too distracted by things they are doing in their cars. They are text messaging, which is absolutely the most extreme example of this. I'm pleased to say that many members of the House recognize that they, like me, have made mistakes when it comes to this. Fortunately for me it was only in my driveway, and thank God for my wife reminding me of what is safe versus what is not safe. I hope it will drastically reduce the frequency of what is taking place.

Mr. Chairman, I know my time is coming to a close.

**Mr. Anderson:** Oh, no. You've got lots of time.

**Mr. Boutilier:** As it turns out, I have a bit more time, so I will share with you, having said that, that maybe there should be a law about distracted seatmates in the Legislature. That would also be very helpful.

**Some Hon. Members:** Relevance.

**Mr. Boutilier:** The relevance of that is that it's important to keep your mind on the focus of the issue, and that is Bill 16.

Having said that, I give qualified support, and I thank the university students and others who also are very engaged in this. I want to say that earlier we were talking about the previous bill on parking, there being one or two members here who teach at the University of Alberta, and the issue of transportation is something that is so important. I'm giving the Minister of Transportation, one of the few ministers of the government I will give it to, the benefit of the doubt. There are a few others I would.

I hope that this bill will serve Albertans well if it's approved by this House. Only time will tell. Consequently, I look forward to him reporting back, and I'm sure the minister will commit to reporting back on statistics indicating that this will be a good bill if, in fact it is proclaimed. Only time will tell.

Thank you very much, Mr. Chairman.

**The Acting Chair:** The hon. Member for Rocky Mountain House, followed by the hon. Member for Airdrie-Chestermere.

5:30

**Mr. Lund:** Well, thank you, Mr. Chairman. I made a couple of comments in second reading on this Bill 16, the Traffic Safety (Distracted Driving) Amendment Act, 2010. Now, I realize that there's a clause in there about distracted driving, but I'm really concerned that maybe in some areas this bill doesn't go far enough. I know it's trying to deal with the distractions, but there are some



other things that I think are going to yield probably even better results.

The one big thing is the attitude of drivers. Now, I'm just not sure how we would get at that when you see the way people will dodge in and out of traffic travelling faster than the speed limit. They cut you off; they seem to often think that if they put their signal light on, that gives them the right-of-way, those kinds of things. There's no defensive driving, and I believe that that should be a major part of the driver training that is provided by a number of different venues.

We had an interesting situation down at the Sundre high school about five years ago. There were three young people in the high school killed in a very short period of time, and the community got together trying to figure out: what can we do? Every one of them was a situation with speed, in one case alcohol. But the fact was that the kids, when they got behind the wheel, didn't realize the power of the weapon that they had in their hands at the time and abused that right of being able to drive.

I think that it is real interesting to take a close look at driver training. When you look at it, the organizations do a good job of teaching the rules of the road. They do a reasonable job of teaching an individual how to handle a vehicle, but unfortunately the cost of going to a simulator, for example, would be prohibitive. If we could do something like that, that certainly would give people the opportunity to realize how a vehicle reacts on ice, for example, or taking corners too fast, all of those sorts of activities that do lead to a lot of accidents. So the training side is the one area that I think we need to spend more time on.

The other areas that I mentioned earlier. We're getting an ever-increasing number of these real bright headlights. Now, if you drive on a two-lane highway as much as I do, they are a problem, and they're getting worse. To make matters worse, there are a lot of people with four-wheel drive vehicles that are jacking them way up. There's one in Rocky that I pulled up beside the other day just to see where those headlights are. The fact is that they were up higher than where we sit, so even if they had their dims on – well, actually, it's probably better if they didn't have their dims on because that's going to shine right into your face.

To make matters worse, they put those real bright lights in. I guess people call them fog lights. They're the ones below the headlights. Those you cannot adjust, so they're shining straight out into your face. Just the other evening I met one of those vehicles. You go through an area, then, where your eyes just simply cannot focus. You don't see anything. You hit a blind spot, and I think that is absolutely ridiculous.

Those vehicles that are pumped up like that: actually, what they're doing is lifting their centre of gravity. So they're probably even more difficult to control, particularly if you ever start to swerve or are going around a corner, because that centre of gravity is up very high. The interesting thing of it is that in most cases they did not put higher tires on the vehicle. The fact is that if they are trying to do it so that they can go through softer ground, it doesn't make any sense because their differential and the axles are still at the same height as the vehicle. The only way they could lift it higher would be to put higher rims on them, and that would get them up even worse.

I think we need to take a hard look at particularly the lights – actually, I think we should be passing some legislation to ban those fog lights, especially when they put the real bright lights in there – and, of course, like I mentioned earlier, the driver training.

Thank you, Mr. Chairman, for this opportunity.

**The Acting Chair:** The hon. Member for Calgary-Fish Creek.

**Mrs. Forsyth:** Thank you, Mr. Chair. It gives me a great deal of

pleasure to stand up and actually make a few comments on Bill 16, the Traffic Safety (Distracted Driving) Amendment Act, 2010. I had the honour of speaking in favour of the bill when the Member for Calgary-Hays first brought this forward in the Legislature. I think it was probably about a year and a half ago. I spoke in favour of it because of the fact that when he brought the bill forward, I supported it then, and I support it now.

At that time when I was debating, I spoke about some of the things that I had encountered as I drive highway 2 every week to fulfill my role as the MLA for Calgary-Fish Creek. I was also at that particular time a member of the Progressive Conservative government and went through all the debate on this particular piece of legislation and the government not supporting this piece of legislation. So I am actually going to give them some credit by coming now and bringing this piece of legislation forward and recognizing the severity of the problem and the seriousness of it. You know, it disheartens me when I think about all of the accidents that have occurred and the time wasted not bringing this piece of legislation forward.

What I want to talk about, where I have some concerns, Mr. Chairman, is under section 115.4 when they talk about:

Subject to this section and the regulations made under section 115.5, no individual shall drive or operate a vehicle on a highway while engaged in an activity that distracts the individual from the operation of the vehicle, including but not limited to . . .

And then they talk about:

- (a) reading or viewing printed material,
- (b) writing, printing or sketching,

which makes perfect sense to me,

- (c) engaging in personal grooming or hygiene.

My spidey senses start going off when I read something like that. You know, you talk about clarity in legislation. For me one wonders what personal grooming or hygiene is. Hygiene can go any way. I mean, is it blowing your nose if you have to while driving down the highway? Is it putting some lip balm on while driving? To me it's just, you know, not clear enough.

Then they go on to say:

- (d) any other activity that may be prescribed in the regulations.

I have a big question mark by that. You know, what are they talking about? Any other activity? It could be a host of other things.

What I would like to have seen in this particular legislation, Mr. Chair, is letting our wonderful law enforcement agencies make those decisions without having all of these, one, two, three, four. I had the great privilege of being the Solicitor General several years ago and have a huge amount of respect for the law enforcement agencies – the police, the RCMP, the sheriffs – that work in this province on a daily basis under at times very, very life-threatening situations. You know, I think it's more important, as far as I'm concerned, when we start listing these, to let the law enforcement agencies make the decisions. Heather is driving down the highway. She decides to grab her lip balm and put it on her lips. Is that distracted driving?

5:40

I can tell you that, speaking on this particular piece of legislation, that the Member for Calgary-Hays brought forward, I can remember one time driving down the highway, and I passed a driver who had a coffee in one hand, had a cigarette in another hand, had a cell-phone, and still somehow managed to give me the birdie as I was driving. I thought: well, you know, you talk about octopuses; that definitely was an octopus when you can do all of those things at once.

Since this legislation was brought forward, I have paid particular attention to some of the things I watch and I see as people are

driving. Quite frankly, that is distracted driving when I'm watching what other people are doing to try and get an idea of what distracted driving is. I thought: "Geez, Heather. You know, you're looking at what other people are doing as distracted drivers, and you're watching to make sure so that you have some points in regard to what other people are doing to be driving distracted."

Mr. Chair, I've seen a host of things over the last few weeks when I've been driving down highway 2. I'm sure everybody in this Assembly can share what they consider a story. I mean, I'm sure my colleague from Calgary-Glenmore will elaborate about how he was driving and wished he had a video camera when he saw a colleague, not one of us but a colleague, driving down highway 2 – and I'll let him elaborate – with a cellphone in one hand, a pop in the other hand, and driving with their knees. I still have trouble actually trying to even visualize that concept.

**Mr. Danyluk:** If you were watching that closely, you must have been distracted yourself.

**Mrs. Forsyth:** The Member for Lac La Biche-St. Paul had some comments to make on the distracted driving, so I'll look forward to him making his comments during this debate in the Legislature.

You know, social media is a wonderful tool. We saw what happened recently with the mayoral campaign and how he utilized the social media. I'm old, Mr. Chair, and I'm trying to get used to all this social media, this Facebook, this Twitter. So I thought: well, why don't we just engage the public on Bill 16? You put the message out on your Facebook saying: "Debating Bill 16. Give me your comments." I tweeted that, and I was overwhelmed at the comments that I got back from people. It's just an example that people are paying attention to what's happening in this Legislature. We provided a link, and I have comments that were posted on my Facebook. I had comments that were posted to me directly, and people say and ask all sorts of things. Here's one from one of the Facebook messages: "Truth is drivers are distracted just by driving, too many times looking at the scenery and not enough attention to what is going on on the road. The fewer distractions the better, especially on high-speed roadways like QE II." And that's where I see all of these distracted drivers when I'm driving.

We and I'm sure everybody in the House have received an e-mail from the students at the School of Public Health at the University of Alberta. They were doing a paper in regard to this particular piece of legislation. You know, they e-mailed, and they wanted to know, first of all, if we supported Bill 16, which we do. Then they went as far as to say: well, do you support hands-free cellphones? Well, Mr. Chair, one of the things that I've noticed when I've been driving is the people that are talking on their hands-free cell. It's quite amazing how all of a sudden when people are on hands-free, their hands are going, and they're talking like crazy on the phone. They've got this hands-free; they're pointing, and they're gesturing, and there are no hands on the wheel.

You know, I guess what I'm trying to say here is that we support this particular piece of legislation. I'm just speaking for myself on behalf of Calgary-Fish Creek because the constituents in Calgary-Fish Creek have overwhelmingly told me that they want me to support Bill 16.

The section that I refer to is under the prohibited activities, 115.4, where we talk about, as I explained earlier, reading or viewing printed material, writing, printing, engaging in personal grooming or hygiene, and any other activities that may be prescribed in the regulations. My questions, then, go to the minister about what is going to be included in the regulations. How does he determine what should be in there? Is it someone stopping at Tim Hortons, like

I do when I drive every week? I stop at Tim Hortons, and I get my coffee. I usually get my breakfast sandwich, or I get my bagel, and if I need to be in Edmonton for some event, I start driving. Now, am I distracted when I'm chomping on my bagel as I'm driving because I have one hand and I might be eating my bagel?

Again, Mr. Chair, who determines what a distracted driver is? In my mind, let's let the law enforcement agencies, the police in this province, that do an incredible job, determine what exactly a distracted driver is instead of having this in the legislation and saying: well, we believe that Heather is engaging in personal grooming or hygiene because she's driving down the highway trying to wipe her nose, maybe putting some lip balm on. Or, for example, I have a headache and I've decided that I'm going to drive, and I'm going to take two Tylenol.

I mean, you know, these are all things that we've done, Mr. Chair, and I'm not innocent. I'm one of those people that had to get everything done, talk on my cellphone when I had three hours of driving time. I'm sure there are not very many members in the Legislature that haven't done that, and I'll be one of the first to admit that I have done that and have now ordered my Bluetooth. If something happens where I have to take a call on an emergency, at least I'm reaching for the Bluetooth. I am conscientiously now driving up to Edmonton having the cellphone in my purse, leaving my cellphone in the purse, and really trying to break that particular habit.

To finish, Mr. Chair, I would like to hear what the Minister of Transportation is going to say when he talks about the prohibited activities. I know that we have an amendment that was received, which was about sections, I believe, that didn't have anything to do with 115.4, and maybe he can correct me. He put in an amendment to Bill 16, and it deals with the proposed section 115.1. It's all 115.1 and some of 115.2, and he's made some changes there.

You know, I always shake my head that when the government has staff and more staff and more staff and wonderful staff, I must say, that work for the government, far more staff than we would ever hope and dream for with our two little researchers, they can't bring a bill forward and get it right the first time.

I really have a great deal of respect for the Minister of Transportation, and I'm wondering why he has brought forward the amendments to Bill 16 that are dealing with 115.1 and why they haven't even looked at 115.4 because, quite frankly, Minister, this is the section that we're getting all the calls on, all the comments on.

I would love to have the Solicitor General and Minister of Public Security maybe speak on behalf of the police, that he represents, to see what they have to say about this. I can tell you that the police officers that I've spoken to have said that this is far too restrictive. They would like the ability to make the determination in regard to what is a distracted driver and what isn't a distracted driver. It's something where I would like to hear, quite frankly, what the government has to say.

I will be supporting Bill 16. Hopefully, we'll be able to bring an amendment forward to maybe talk about the prohibited activities. My colleague from Calgary-Glenmore, I hope, is going to bring something forward, and we can look at that.

Mr. Speaker, with those few words I want to thank you.

5:50

**The Acting Chair:** The hon. Member for Airdrie-Chestermere.

**Mr. Anderson:** Thank you, Mr. Speaker. [interjection] I am enthused, very enthused.

This bill is a bit of a funny one. This is like a classic example of doing something for the purposes of looking like you're doing

something useful. I don't understand it, too. The Minister of Transportation has, I think, a good reputation for being someone who doesn't like government interference very much – let's put it that way – who doesn't like government ruling every aspect of our lives. That's why I was very surprised to see him in the end introduce this piece of legislation because it just doesn't seem like him at all. I'm just curious as to the reasons why he would do that.

You know, it's kind of like that vest. What was that bulletproof vest act that was passed by the Solicitor General and the Justice minister a while back on the vest registry? I'm trying to figure out, you know, why these more, I guess you could say, libertarian, don't-get-in-my-way types of people have all of a sudden decided that they want registries. They don't like gun registries, but they like bulletproof vest registries. They'd like protective vest registries. They now want officers on the street running around looking for people on cellphones, running around looking for people – who knows? – changing the dial, putting on whatever certain people put on in the car, eating, whatever.

It just seems like kind of a big-government bill. I mean, this is just common sense. We talk a lot about legislating common sense and how you just can't legislate common sense. You either have it or you don't. That's just the way it is. But you can't legislate it. You can't force people not to, you know, have one arm on a cellphone, one arm eating a hamburger, one leg trying to steer the stick shift, and one trying to steer the steering wheel. Have you ever tried that? I've never tried that. I mean, it's just so obvious.

One of the things, too, as we've talked with police officers about this, is that there is a little bit of a burden of evidence problem. For example, it's very difficult to prove that somebody is on a cellphone. It almost becomes a he-said-she-said thing. A police officer is actually going to probably need not just himself but his partner to see this. In other words, in order to really do this, unless there's an actual accident, you're probably going to need more than one person to see it happening.

I know this because it's like the seat belt law. I don't know if the hon. Housing and Urban Affairs minister has ever fought a seat belt ticket or been involved in a seat belt ticket case, but if he has, because I have, he'll know that it's very difficult for police to prove that, very difficult.

**An Hon. Member:** If it's not on camera.

**Mr. Anderson:** It is very difficult unless there are cameras – that's right – unless they get the camera out, unless they get the camera and they film. Then, of course, you're putting somebody out on the street for the purpose of filming seat belts or not using seat belts, whatever. I mean, it just seems like a complete waste of taxpayer resources and policing resources to be running around, "Oh, look, that person has a seat belt; that person doesn't have a seat belt," et cetera, et cetera. Unless you're going to bring . . .

**The Acting Chair:** I apologize for interrupting the hon. member, but pursuant to Standing Order 4(3) the Committee of the Whole shall now rise and report.

[Dr. Brown in the chair]

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

**Mr. Johnston:** Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain bills. The committee reports the following bill: Bill 18. The committee reports the following bill with some amendments: Bill 23. The committee reports progress on the following bill: Bill 16. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Acting Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Concur.

**The Acting Speaker:** Opposed? So ordered.  
The hon. Deputy Government House Leader.

**Mr. Renner:** Thank you, Mr. Speaker. I now move that we adjourn until 1:30 tomorrow afternoon.

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







## Table of Contents

Introduction of Guests .....	1087, 1097
Members' Statements	
National 4-H Month .....	1088
Emergency Medical Services .....	1088
Opposition Comments on Ethics of Government MLAs .....	1089
Adoption Awareness Month .....	1089
Advisory Council on Alberta-Ukraine Relations .....	1089
Health Care for Seniors .....	1097
Oral Question Period	
Foreign Investments in Alberta .....	1089
AltaLink Electricity Transmission Line .....	1090
Cancer Services in Calgary .....	1090
Emergency Medical Services .....	1090, 1096
Premier's Mission to Abu Dhabi .....	1091
Green TRIP Incentives Program .....	1091
Mid-term American Election .....	1092
Carbon Capture and Storage .....	1092, 1094
Electricity Costs for Large Industrial Users .....	1093
Aboriginal Children in Care .....	1093
Heartland Transmission Project .....	1094, 1096
Fort Chipewyan Health Research Agreement .....	1095
Southern Alberta Transmission Reinforcement .....	1095
PDD Administrative Review .....	1097
Introduction of Bills	
Bill 27 Police Amendment Act, 2010 .....	1098
Bill 28 Electoral Divisions Act .....	1098
Tabling Returns and Reports .....	1098
Government Bills and Orders	
Second Reading	
Bill 24 Carbon Capture and Storage Statutes Amendment Act, 2010 .....	1099
Bill 25 Freehold Mineral Rights Tax Amendment Act, 2010 .....	1100
Bill 20 Class Proceedings Amendment Act, 2010 .....	1100
Bill 21 Wills and Succession Act .....	1101
Bill 22 Family Law Statutes Amendment Act, 2010 .....	1103
Bill 26 Mines and Minerals (Coalbed Methane) Amendment Act, 2010 .....	1106
Government Bills and Orders	
Committee of the Whole	
Bill 18 Government Organization Amendment Act, 2010 .....	1107
Bill 23 Post-secondary Learning Amendment Act, 2010 .....	1111
Bill 16 Traffic Safety (Distracted Driving) Amendment Act, 2010 .....	1113

If your address is incorrect, please clip on the dotted line, make any changes, and return to the address listed below. To facilitate the update, please attach the last mailing label along with your account number.

Subscriptions  
Legislative Assembly Office  
1001 Legislature Annex  
9718 - 107 Street  
EDMONTON AB T5K 1E4

---

Last mailing label:

Account # \_\_\_\_\_

New information:

Name \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

---

Subscription information:

Annual subscriptions to the paper copy of *Alberta Hansard* (including annual index) are \$127.50 including GST if mailed once a week or \$94.92 including GST if picked up at the subscription address below or if mailed through the provincial government interdepartmental mail system. Bound volumes are \$121.70 including GST if mailed. Cheques should be made payable to the Minister of Finance.

Price per issue is \$0.75 including GST.

On-line access to *Alberta Hansard* is available through the Internet at [www.assembly.ab.ca](http://www.assembly.ab.ca)

Address subscription inquiries to Subscriptions, Legislative Assembly Office, 1001 Legislature Annex, 9718 - 107 St., EDMONTON AB T5K 1E4, telephone 780.427.1302.

Address other inquiries to Managing Editor, *Alberta Hansard*, 1001 Legislature Annex, 9718 - 107 St., EDMONTON AB T5K 1E4, telephone 780.427.1875.