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The 28th Legislature
Second Session

Alberta Hansard

Monday afternoon, May 5, 2014

Issue 24

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

Second Session

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Progressive Conservative: 58 Wildrose: 17 Alberta Liberal: 5 New Democrat: 4 Independent: 3

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Legislative Assembly of Alberta

1:30 p.m.

Monday, May 5, 2014

[The Speaker in the chair]

Prayers

The Speaker: Good afternoon, hon. members.

Let us pray. In a world that has known conflict throughout its history, let us pray for peace to prevail and for human rights to be recognized even where they are not so commonly known today. Let us pray that our province and our country continue to be examples to the world of what freedom is truly all about. Amen.

Please remain standing for the singing of our national anthem, led by Mr. Robert Clark.

Hon. Members:

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

The Speaker: Thank you, all. Please be seated.

Introduction of Visitors

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

Mr. Dallas: Thank you, Mr. Speaker. I rise to introduce to you and through you to all members of this Assembly His Excellency Mr. Gian Lorenzo Cornado, ambassador of the Italian Republic. He is accompanied by Mr. Fabrizio Inserra, who is the consul general of the Italian Republic in Vancouver.

Mr. Speaker, this is the first official visit to Alberta for Ambassador Cornado since taking the post just over one year ago. However, it's not his first posting in Canada. From 1987 to 1992 he served as consular secretary in the Ottawa embassy and as the consul general in Montreal from 2000 to 2004. Ambassador Cornado has played and will continue to play a valuable role in strengthening the friendship between our jurisdictions.

Mr. Speaker, Alberta and Italy have a long-standing trade, investment, and cultural relationship. Italy is Alberta's fourth-largest export market in Europe, averaging \$154 million per year. A large portion of that is wheat. Alberta imports from Italy more than \$328 million per year of products, consisting mainly of wine, machinery, iron, and steel. There are approximately 88,000 Albertans of Italian descent, making it the 12th-largest ethnic group in the province. We will continue to work together to build on our ties so that both our jurisdictions can thrive today, tomorrow, and in the future.

I'd like now to ask Ambassador Cornado to rise and receive the traditional warm welcome of this Assembly.

The Speaker: Thank you.

Introduction of Guests

The Speaker: Let us begin with school groups, starting with the Minister of Health, followed by Sherwood Park.

Mr. Horne: Well, thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you to all members an exceptional group of students from Westbrook elementary school in my constituency of Edmonton-Rutherford. Today we are joined by Mr. Shawn Nordstrom, the teacher, and three parent helpers: Mr. Shawn Sipma, Ms Karin Lefsrud, and Ms Mackenzie Linnen. This class is also attending School at the Legislature. They have some very interesting and challenging questions. I'd ask all of them, please, to stand and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Member for Sherwood Park, followed by the Minister of Tourism, Parks and Recreation.

Ms Olesen: Thank you, Mr. Speaker. I'm pleased to introduce to you and through you to the members of this Assembly 61 grade 6 students from Holy Spirit Catholic school along with their teachers and helpers Catrina Chapman, Jenna Bishop, Kathryn Knox, Paula Federwick, Leigh Ann O'Sullivan, Stephen Dallon, and Lesley MacAllister. I would ask the group from Holy Spirit Catholic school to please rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Tourism, Parks and Recreation.

Dr. Starke: Well, thank you, Mr. Speaker. It's my great pleasure to introduce to you and through you to all members of the Assembly 27 energetic young students from Viking school. Being from Viking school, they not only know what lefse and lutefisk is; they probably had it for breakfast. [interjections] Oh, yeah. The Norwegian section over there. They are accompanied by their teachers Mrs. Dianne Kolybaba and Mrs. Trudy Josephson as well as parent helper Mrs. Nancy Mizera. I had a chance to meet with these young people in the rotunda before our session. They are energetic and a fine example of students from my constituency. I'd ask that they rise and receive the warm welcome of the Assembly.

The Speaker: Thank you.

Are there other school groups?

Seeing none, let us move on with other important guests. Let us turn to Edmonton-Decore, followed by the Associate Minister – Seniors.

Mrs. Sarich: Thank you, Mr. Speaker. It's an honour and privilege for me to rise today to introduce to you and through you to all members of the Alberta Legislature eight representatives from the Armenian community here today for the Legislative Assembly of Alberta's inaugural commemoration ceremony recognizing the Armenian genocide of 1915.

Mr. Speaker, I'd like to thank you for your leadership in hosting the remembrance and for the leadership of the Premier of our great province and all colleagues and guests from the Armenian community. It is vital to acknowledge the importance of the Armenian genocide of 1915, where 99 years ago a heinous crime, a great tragedy against the Armenian people was committed and should never be forgotten.

Mr. Speaker, my guests are seated in the Speaker's gallery – and thank you very much for that privilege – and I would now ask them to please rise and remain standing as I mention their names. I would like to welcome this afternoon Mr. Shahin Soheili, director, Western Canada Armenian Holy Apostolic church of Canada; Archpriest Reverend Keghart Garabedian, pastor of St. Vartan Armenian Apostolic church of B.C.; Mrs. Mayda Beylerian, chair,

Church Council, Armenian Holy Apostolic church of Canada; Mr. Arsen Vaganyan, leader, Edmonton Armenian community; Dr. Edward Ohanjanians, leader, Red Deer Armenian community; Mr. Artak Grigoryan, former combat support platoon leader, Armenian peacekeeping brigade, and community member – we thank him for his service – Mr. Suren Vaganyan, community communications specialist; and Ms Sona Grigoryan, community treasurer.

I'd now ask the Assembly to please honour my guests by giving them the traditional welcome.

Thank you.

The Speaker: Welcome to all of you.

Let us move on to the Associate Minister – Seniors, followed by the Minister of Energy.

Mr. Quest: Well, thank you, Mr. Speaker. It gives me great pleasure to introduce to you and through you to all members of this Assembly Nicole Zens, a grade 6 home-school student from Sherwood Park who's studying local government. She's accompanied by her mother, Jody Zens. I had the opportunity earlier to briefly meet them. They had just done a tour, and it sounds like they're having a great day. They are seated in the members' gallery, and I ask that they now rise and receive the traditional warm welcome of the Assembly.

The Speaker: Thank you.

The hon. Minister of Energy, followed by the Acting Minister of Municipal Affairs.

Mrs. McQueen: Well, thank you, Mr. Speaker. It's a pleasure for me to rise to introduce to you and through you to all members of this Assembly and to welcome one of my spectacular councillors from the town of Devon and his family to the Legislature today. We have with us today Michael and Angela Laveck and their two wonderful children, Jadin and Daniel. I had the chance to meet with them in my office, and I'd like them to rise and receive the traditional warm welcome of this Assembly.

1:40

The Speaker: The Acting Minister of Municipal Affairs, followed by the Associate Minister – Accountability, Transparency and Transformation.

Mr. Weadick: Well, thank you, Mr. Speaker. It's a pleasure to rise today and introduce to you and through you to all members of the Assembly Ms Kelta Coomber. I met Kelta earlier today, and she is joining my office through the Alberta student ministerial internship program at the Legislature. Kelta just completed her degree in political science through the honours program and is pursuing a master's program this fall. I would ask Kelta to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The Associate Minister – Accountability, Transparency and Transformation, followed by the Associate Minister of Wellness.

Mr. Scott: Thank you very much, Mr. Speaker. It's my honour and privilege to introduce to you and through you to all members of the Assembly a constituent of mine from Fort McMurray, Nicole Ardell. Nicole has come today to observe the proceedings of the Legislature and to watch as her petition is presented, with the aim of working with government to make improvements to the immunization process for children in Alberta schools. I would ask her to please rise and receive the traditional warm welcome of the Assembly.

The Speaker: The Associate Minister of Wellness.

Mr. Rodney: Thank you very much, Mr. Speaker. It's truly an honour to introduce an amazing and inspirational young Albertan who is really one of a kind. He was an MLA for a Day almost a decade ago, and he's had an amazing journey ever since, having travelled to 20 countries on five continents. He often asks: what's the adventure for today, boss? He's worked in my constituency office, my Annex office, our Wellness office, and on all of our campaigns, including as our fine manager. He has a very positive attitude, and his philosophy to always embrace new opportunities has served him well. He has no less than four offers for law school this fall. His family is very proud of him. Our family is very proud of him. I'm very pleased to introduce my good friend Mr. Joey Redman.

The Speaker: Thank you.

Are there others?

Seeing none, Minister of International and Intergovernmental Relations, I note that your additional guests will be arriving later. Thank you.

Members' Statements

The Speaker: Hon. members, we have two minutes each.

Armenian Genocide Anniversary

Mrs. Kalagian-Jablonski: Mr. Speaker, today is a very special day in the Alberta Legislature thanks to you and to my colleague and friend the MLA for Edmonton-Decore. Today we commemorated the 99th anniversary of the Armenian genocide. We have members and leaders of the Armenian community in Alberta as well as Archpriest Reverend Garabedian of St. Vartan Armenian Apostolic church in B.C. here today to commemorate this solemn occasion with us.

This is a very important occasion because we need to remember the historically correct past in order to promote healing, justice, and peace throughout the world. It is an important occasion because over 1.5 million Armenian men, women, and children were tortured and brutally murdered by a government that now uses political manipulation, retaliation, and financial incentive to continue to deny the Armenian genocide and to attempt to reshape the historical facts. Over 8 million Armenians have experienced a century of injustice due to the failure of the Turkish government to recognize the Armenian genocide while more than 35 countries around the world, including Canada, officially recognize the genocide.

Just as the Truth and Reconciliation Commission in Canada has recognized the pain and suffering caused to this very day by residential schools and is now the catalyst for healing, justice, and peace, so too must the Turkish government recognize their injustices of the past. I'm not here to condemn a government but to praise the people of Armenian and Turkish descent who are working together in solidarity for reconciliation and calling on their own government to recognize the genocide. By concentrating on the injury and injustice to the people of Armenia, we have almost forgotten the injury suffered by many Turkish people who opposed the torture and murder of their neighbours and friends.

Today, Mr. Speaker, I ask that everyone remember the lessons taught by my Armenian grandmother, Mariam Kalagian, that love is better than hate and that this world will only survive if we love one another. And if anyone should ask, "Who remembers the Armenians?" we can say, "We remember."

The Speaker: Thank you.

The hon. Member for Little Bow, followed by Stony Plain.

Nobleford

Mr. Donovan: Thank you, Mr. Speaker. Today I'm pleased to rise and tell you about a success story in the Little Bow riding. It's not of just one person or one company, but it's about an entire community, Nobleford. The village is just 20 kilometres north of Lethbridge, and if you ever have the opportunity, I'd ask you to please swing by and see what the village has to offer.

Now, you can understand and sense that in rural Alberta a lot of small towns seem to be rolling up and withering, so to speak, but Nobleford is the exact opposite, Mr. Speaker. They've gone from 600 people in 2006 to 1,300 people in the last census. Along with that, they also have the lowest taxes in Alberta. Can you imagine having a house that's worth \$330,000 – that's the assessment on it – and only paying \$1,000 for your taxes? It's not a bad idea. Some great things to have.

One of the other things, Mr. Speaker, is that I was happy to be invited on April 12 to their fire hall opening. It just goes to show you how well-connected local decision-making can be done correctly in rural Alberta. They built the fire hall. They're under budget. They'd saved enough money that they paid for over half of it before the building was even constructed, and they don't even have a loan on it. The beautiful part of that whole fire hall is that when you're there at the opening with the people from the area – the second fire chief's son is actually the chief official officer of the village, so it goes back to the ties, but also it's a young, vibrant community for people to move into. I think one of the beautiful things . . .

An Hon. Member: Do they build schools?

Mr. Donovan: Yes, they do have schools also. It's a great place to be.

Mr. Speaker, because of the leadership shown by the current council, Nobleford is becoming one of the most attractive places to live and do business. It's also encouraging to see so many young families move back to this village and raise their family in the atmosphere of rural Alberta, knowing their kids are going to be safe and can walk around town safely without any concerns.

Mr. Speaker, I'd also like to thank the current and previous council for their vision, that will allow them to have more success as they approach their centennial anniversary year in 2018. I'd just like to thank everybody. If you ever have the chance to go through, please stop and visit the village of Nobleford.

The Speaker: The hon. Member for Stony Plain, followed by Sherwood Park.

Temporary Foreign Worker Program Moratorium

Mr. Lemke: Thank you, Mr. Speaker. Alberta's economy is booming. I see help-wanted signs in shop windows and hear of industries around Alberta looking to fill vacant positions. It is only natural in an economy experiencing an economic upswing to see people coming from all over to take advantage of job opportunities, yet migration within Canada has not been sufficient to meet Alberta demands. Fortunately, Alberta businesses have been able to find some relief through the temporary foreign worker program. Temporary foreign workers, or TFWs, are able to work in Canada for up to four years. However, the federal government recently issued a moratorium on TFWs in the food services sector.

I know this is a concern to my constituents and to small businesses across the province. Mr. Speaker, how are restaurants across Alberta supposed to cope with this sudden change? If they do not have adequate staffing, they are unable to provide the customer service needed to generate profits. This may force them to close, resulting in the loss of jobs for Albertans also employed in these businesses.

It is my understanding that this moratorium is a result of employers abusing the system and hiring TFWs over Canadians, which is against the law. That being said, our labour market is unique in comparison to the rest of Canada. Our job vacancy rate has been the highest in Canada for the past three years, and our unemployment rate is consistently under 5 per cent, which indicates a balanced labour market. This means that if every employable person was working, we would still experience a labour shortage.

Mr. Speaker, Alberta needs temporary foreign workers to accommodate our growth now and into the future. I look forward to a speedy review of the program by the federal government so our food service industry can be assured of labour that will be available when they need it.

Thank you, Mr. Speaker.

The Speaker: Thank you.

Oral Question Period

The Speaker: Hon. members, a reminder that a maximum of 35 seconds is allowed for each question and each answer.

Let's start with Her Majesty's Loyal Opposition leader for her first main set of questions.

Trust in Government

Ms Smith: Mr. Speaker, last week the Premier stood in front of a roomful of well-heeled PC supporters and said that he was sorry. Now, we've been around long enough to know how rare a PC apology is, so I suppose he should be commended, but apologizing to your party for historically low approval ratings and actually apologizing to Albertans for mismanaging the province are two different things. So here's an opportunity for the Premier. Will he be accountable to all Albertans, not just his party faithful, and apologize on his government's behalf for breaking their trust?

1:50

Mr. Hancock: Mr. Speaker, each and every day I take seriously the responsibility of being Premier of this province, a responsibility that my caucus has asked me to take on, and I'm truly privileged to do so. As part of that responsibility we have to take very seriously the concerns of Albertans. We need their trust. We need to earn that trust each and every day, and I will strive every day that I'm in this office, as do all members of this government, to earn that trust, to treat Albertans with respect, and to treat their money with respect.

Ms Smith: You see how hard it is to say sorry, Mr. Speaker.

A month ago the Premier brushed aside criticism and refused to apologize for his party's past mistakes. Apologies have already been made, he told a Calgary newspaper. Now all of a sudden he's sorry. Albertans want to believe he's genuine, but the fact is that the Premier's apology came the day after a new research survey showed that the PC Party is about as popular as a May blizzard. To the Premier: how are Albertans to believe that his apology is anything but a cynical political move motivated by his party's unpopularity?

Mr. Hancock: Mr. Speaker, the Leader of the Opposition can interpret any way she wants. I'm not really too concerned about her view of the world. What I am concerned about is Albertans' view of the world and what Albertans want from their government and what Albertans deserve from their government, very, very concerned about ensuring that this government acts responsibly for Albertans and for Albertans' future. That's what we aim to do. I am very, very sorry that we've been distracted from that by our own actions, and we're taking every step we can to make sure that we do not do that again so that Albertans can be assured that we will do the best for their grandchildren.

Ms Smith: We're getting closer, Mr. Speaker.

The Premier's apology came at the PC Party's annual fundraiser in Edmonton. A video was shown to honour past PC Premiers: Peter Lougheed, Don Getty, Ralph Klein, and Ed Stelmach. Well, obviously, there was one missing. Between the video and the Premier's carefully scripted apology it's clear the PCs are attempting to expunge from the record the leadership of the Member for Calgary-Elbow. Does the Premier actually believe that his 43-year-old government's long list of failures is the sole responsibility of one person, who was in charge for 29 months?

Mr. Hancock: Mr. Speaker, in the 43 years that this particular party has had the privilege of serving Albertans, there have been many, many successes. In fact, there are many jurisdictions that have resources, but this is the jurisdiction that has led the world in environmental technology, in oil and gas extraction, in agriculture, and in so many places. Yes, there have been some things that we could do better, and we will do better on those things. But, no, every single leader of this party has provided a service to Albertans in their time, including my immediate predecessor.

The Speaker: Second main set of questions.

Electricity System

Ms Smith: Among the things that the PC government needs to apologize to Albertans for is the mess they have made of power transmission. Several years ago we began warning Albertans that if the government went ahead with Bill 50, ratepayers would be gouged. Last week we learned that AltaLink, the major beneficiary of the mistakes in Bill 50, has been sold for four times what it was worth 12 years ago. Now its owners have netted a \$2.4 billion profit. Will the Premier apologize to Albertans who've been gouged on their power bills for the last decade?

Mrs. McQueen: Well, Mr. Speaker, what we'll say to Albertans is that we are proud of the investment climate that Alberta has, and it is a strong investment climate here in Alberta. With regard to this business we'll make sure that it goes through a federal process and through an AUC process to make sure that it is fair to Albertans.

Ms Smith: Mr. Speaker, we warned that Albertans would be stuck paying much more than necessary to build transmission lines we didn't need, because it's in the interest of transmission companies to overbuild. They get a guaranteed 9 per cent rate of return, and now we see that their special relationship with government has turned a 400 per cent profit in just 12 years. We warned that billions were at stake and that consumers would be gouged. Will the Premier apologize to Albertans for ignoring the experts and forcing through power lines that we don't need?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Well, thank you, Mr. Speaker. I don't know how the hon. member can talk about that, because a deal hasn't even happened yet. It has a federal process to go through – and I'm sure she has faith in that process – and it has the process of the AUC. What is important to this government is that there is power there for Albertans when they need it and that it's affordable when they need it. That's exactly what we are doing.

Ms Smith: Mr. Speaker, we're talking about the government's decision to sole source these contracts and the impact it's having on power bills. That doesn't change regardless of who owns it.

Every Albertan who opens their power bill knows that transmission costs and other fees can sometimes be more than the actual cost of electricity. Transmission lines remain the regulated part of the electricity business and is the part that is the biggest mess. We warned Albertans that this government's power line policy was going to cost us billions, and it has. Will the Premier apologize to Albertans for gouging them on their power bills so that their friends at transmission companies could earn a sizeable . . .

The Speaker: Thank you.

The hon. Minister of Energy.

Mrs. McQueen: Thank you, Mr. Speaker. What this government is doing is making sure that when Albertans want to turn the lights on that the lights are there to turn on. We are building out for this province. With over 100,000 people coming to this province every year, we need to make sure that we have power for them to be able to turn on. That's responsible government. That is what we're doing. We're making sure the prices are affordable.

The Speaker: The third and final main set of questions.

Government Policies

Ms Smith: Mr. Speaker, so much to apologize for. Real apologies, though, require making amends. Let's take public-sector relations. This government has passed Bill 46, which was struck down by the courts. Bill 45, which is equally unconstitutional and insulting, is a complete affront to free speech. Bill 9, which would impact public-sector pensions, has been rejected by all the unions, the Alberta Association of Municipal Districts and Counties, the Alberta Urban Municipalities Association, and now the mayor of Calgary. If this government is serious about apologizing, will it also make amends by scrapping Bill 45 and halting Bill 9?

Mr. Hancock: Mr. Speaker, the Leader of the Opposition aspires to be a leader in this province but only wants to do the easy work. In fact, governing is actually quite difficult, and it's very complex. You do have to do things like pension reform. You do have to understand that you not only have an obligation to today's Albertans, but you have an obligation to tomorrow's Albertans. That is part and parcel of governing, that takes difficult work, and that takes complex discussions with all the stakeholders, not just to hear the yells but to get deep into the issues and to come to complex conclusions, and that's what this government is doing.

Ms Smith: Mr. Speaker, it shouldn't be hard to show basic respect for our front-line workers.

This government also needs to apologize and make amends in education and health. For months we've been saying that there is no chance that the government will hit any of its school-building targets. There just aren't any shovels in the ground. In Health this

weekend they finally admitted that family care clinics were not the answer and that we wouldn't get 140 of them after all. Will the Premier apologize to Albertans and admit that there wasn't a single word of truth in his party's election platform?

Mr. Hancock: Mr. Speaker, again the Leader of the Opposition wants to deal with tactics and not outcomes. This government is interested in outcomes. When we're talking about family care clinics and primary care networks, what we're talking about is creating a platform so that Albertans can take care of their own health, being supported by teams of health care professionals who work together. Whether they do that within the confines of a family care clinic or supported by a primary care network matters not as long as they have the support services from the health care professionals that they need to manage their chronic conditions, to help them stay healthy.

Ms Smith: I cannot believe that they can't simply say: sorry.

Let's try one more, Mr. Speaker. We've pointed out over and over again that this government has an entitlement problem with the use of government planes. They've been made into personal taxis for vacations and fundraising events. If the apology were sincere, we would know what the ex-Premier was doing in Jasper during the flood; instead, they keep hiding the truth. If the Premier's apology were sincere, the government would make amends by selling the government air fleet. When can we expect the Premier to do that?

Mr. Hancock: Mr. Speaker, what I said to Albertans on Thursday was that this government and this Premier are very sorry that we have not made sure that the public understood what we were doing and why we were doing it, and that we wanted to make sure that every dollar that we spend on behalf of Albertans is spent well. We have allowed the issues around those things to become distractions from the real governing issues of how we create the right kind of place for our children and grandchildren. We will now make sure that every dollar spent is spent appropriately, that for flights that are taken, people understand what the value of those is and why we're doing it.

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

Public Service Pension Legislation

Dr. Sherman: Thank you, Mr. Speaker. Bills 9 and 10 are the latest examples of this government's ready, fire, aim approach to legislation. On Friday Mayor Nenshi wrote to the Premier, saying that he and council "believe that the proposed changes will gravely impact The City of Calgary." It could have a "crippling effect [on the] labour force . . . operations and finances." He strongly urged the Premier and the government to table Bill 9 so that significant issues could be addressed before any changes to pension legislation. Premier, a simple question: will you kill Bill 9?

2:00

The Speaker: Hon. members, Bill 9 is up later for debate, as I understand, but go ahead if you wish, hon. Premier.

Mr. Hancock: Mr. Speaker, if the hon. member understood the parliamentary process, he'd know that once a bill is in the House, it's not in the hands of any member to kill the bill. The process of the House will proceed. Debate on Bill 9 will proceed. As we always do, we listen to Albertans, listen to the input we get, and determine the progress of the bill based on what needs to be done.

The Speaker: Thank you.

Dr. Sherman: Mr. Speaker, I'm just asking the Premier to show some leadership and make a commitment to do the right thing.

Two weeks ago I pointed out that the cost of recruiting and retaining workers will increase as higher wages are demanded to make up for less attractive public-sector pensions. On Friday Mayor Nenshi made the same point and said that it will increase the administrative costs to the city of Calgary. I bet lots of other municipalities, AUMA, and AAMD and C share the same concerns as the Alberta Liberals and Mayor Nenshi. Premier, how much will Bill 9 cost municipalities and the province . . .

The Speaker: The hon. Premier, again recognizing that this is on the Order Paper for later.

Mr. Hancock: Again, yes, Mr. Speaker, it is on the Order Paper today, and those are perfectly good questions for the member to raise in debate. But I will say this. The city of Calgary had an opportunity to participate in the discussion and the consultation around the issues of pension reform and did participate, but it didn't participate on the issues that came in this latest letter because the issues in the latest letter are more around the window dressing around the bill as opposed to the substantive issues in the bill. However, we will be taking into account the letter that we got. I'll be meeting with the Minister of Finance later, and we will discuss how those issues can be addressed.

Dr. Sherman: Mr. Speaker, they might have picked up the phone, but according to this letter this government obviously didn't listen to the city of Calgary.

I'll tell you one more thing about this Premier: he's a uniter, not a divider. He has united every union against bills 9 and 10. He has united the mayor of Calgary and city council against Bill 9. He has united every opposition party in the House against this government's attack on pensions. This government is now desperately fighting a multifront war, which will probably end badly for them. Premier, for the good of Alberta workers and municipal governments will you do the right thing and the smart thing and kill these bills?

Mr. Hancock: Mr. Speaker, I was almost sure that at the end of that sentence he was going to say: and resign. I'm so relieved.

Mr. Speaker, as I just indicated to the hon. member, once a bill is in the House, it belongs to the House, not to the government, and it is not in the hands of the government to kill a bill. We will proceed with the debate on the bill as it is on the Order Paper today, as you've so graciously pointed out several times already, and in the course of that debate, as the bill goes through the House, we'll determine what the appropriate way is to deal with the issues that people both in the opposition and the public raise.

The Speaker: Thank you.

The hon. leader of the ND opposition. [applause]

Mr. Mason: Well, thank you very much, Mr. Speaker, to all the hon. members. I love them all dearly; I just don't think they should be running the province.

Mr. Speaker, this week the mayor of Calgary sent the Premier a letter about Bill 9. The mayor outlined seven major problems with Bill 9, including making it harder for the city and other employers to attract and retain good employees. To the Premier: given the mayor's comments and those of so many others, concerned stakeholders and citizens, will you do the right thing and withdraw Bill 9?

The Speaker: Hon. Premier, you know that Bill 9 is on the Order Paper, but proceed as you wish.

Mr. Hancock: Thank you, Mr. Speaker. If I may, at the beginning could I say exactly the same to the hon. member? I do love him dearly, but I also don't want him running the province.

Again, it's not in the hands of government to withdraw a bill once it's committed to the House, so, no, we will not withdraw the bill. But the hon. member should realize that everybody had opportunity to have their input with respect to the pension reforms. There are important issues with respect to pension reform that need to be carried through. We do need to hear and listen to what people are saying about it to make sure we're doing the right thing, and we will.

The Speaker: First supplemental, hon. member.

Mr. Mason: Yes. Thank you very much, Mr. Speaker. Well, the government certainly does have the power to withdraw a bill. I think the Premier is not correct on that. But this evening we will be debating a motion from the NDP to refer the bill to the Standing Committee on Alberta's Economic Future for public hearings. Will the Premier and his government support that motion?

Mr. Hancock: Mr. Speaker, once again, the hon. member, who has been in this House I think almost as long as I have, ought to know that the process is that individual members get to vote in this House as to what happens. It would be entirely inappropriate for the Premier to stand up and say that the government will direct all of its members to vote in this particular way. Now, having said that, I also would question what the hon. member's intentions are. Does he want the bill withdrawn, killed, or defeated, or does he want it referred to committee?

The Speaker: This is one of the problems with getting into anticipation, so let's be careful here.

The hon. leader. Final question.

Mr. Mason: Thank you very much, Mr. Speaker. Well, we would like to have the bill killed. That's for sure. But in terms of a process certainly withdrawing the bill or referring it to a committee for public hearings at least gives the public a chance for the input that this government has denied them up until now. I want to put it to the Premier. If his party can't vote on the motion tonight and he can't get all of the members to vote for it, what are we paying your whip for?

Mr. Hancock: Well, the short answer is that he's not paying our whip.

But there is some dignity in this House, Mr. Speaker. Yes, we operate as a caucus. Yes, we get together to determine direction. Yes, we do listen to the public and to the feedback that we get as we plan the progress of bills. But we do not direct people in terms of how they vote, and we do not kill bills that are the property of the House. We do not withdraw bills that are the property of the House, so the options that would be available would be to leave a bill sitting on the Order Paper or to refer it to committee or to pass it. Those are the options available to the House, and I think we'll pursue one of those options.

The Speaker: Thank you.

Let's go on with question 6 without preamble to allow a maximum number of questions, starting with Calgary-Varsity, followed by Rimbey-Rocky Mountain House-Sundre.

Dementia and Mental Health Services

Ms Kennedy-Glans: Thank you, Mr. Speaker. Last spring I asked the Health minister a question about AHS and the patient-care-based funding formula that had withdrawn resources from people with Alzheimer's and other dementia and mental health issues. To the same minister. It's Mental Health Week, and it's a good time to check in again. Can you provide us an update on changes made to fix the funding formula for care centres to ensure that people with Alzheimer's and other dementia and other mental health issues are adequately resourced?

The Speaker: The hon. Minister of Health.

Mr. Horne: Thank you very much, Mr. Speaker. It is Mental Health Week, and I thank the hon. member for raising a question in that regard in question period today. We are involved now in a detailed review of both the policy for continuing care in Alberta and the funding formula that should be applied in order to achieve the outcomes we wish. For the group of Albertans that have dementia today, about 40,000 people across the province, they are being joined by about 8,000 of their fellow citizens each year who are being diagnosed with dementia. The funding formula must absolutely better reflect the demands that dementia poses for their care.

The Speaker: Thank you.

Ms Kennedy-Glans: Following on your participation in the U.K. Dementia Congress, what actions are under way by Alberta Health to develop a provincial dementia strategy? Specifically, are you working with the Alzheimer Society or other community organizations to start work on a provincial strategy?

Mr. Horne: Well, Mr. Speaker, both the Ministry of Health and Alberta Health Services are working with many, many stakeholders. There are two key areas of focus. The first, of course, is to delay the onset of dementia and other similar diseases as much as possible. The second is to support people who are living with dementia or Alzheimer's and their families, who are in many cases supporting them at home. I can tell you, for example, that we are in the midst of a three-year grant that's been provided to the Alzheimer Society of Alberta and Northwest Territories to implement first link, which connects people who are newly diagnosed with dementia and their families to information resources . . .

The Speaker: Thank you.

Ms Kennedy-Glans: This question is to the Associate Minister – Seniors. Given the growing percentage of residents in care centres with dementia and associated depression or mental health issues, what steps are you taking to ensure adequate resources are being provided for the care of this population, and can we be ensured that the latest design research is being applied to the development of new care centres for this population?

2:10

Mr. Quest: Well, Mr. Speaker, yes, we can. We've built 3,000 accommodation spaces in this province in the last three years, and we're adding 2,000 more in the next two years. Virtually all of these facilities will have dementia care spaces, and there will be more to accommodate the increasing numbers of people that are suffering from dementia in Alberta.

The Speaker: Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Dunvegan-Central Peace-Notley.

Electricity System Regulation

Mr. Anglin: Thank you, Mr. Speaker. AltaLink began as an \$850 million corporate entity that ratepayers of Alberta subsidized. AltaLink is now worth \$3.2 billion because Albertans pay for all their assets. Given that ratepayers pay cost plus for all new transmission assets and they guarantee AltaLink an annual income of roughly 9 per cent based on these assets, can the minister please explain what incentive AltaLink has to keep costs down?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Well, thank you, Mr. Speaker. That is why we have the AUC. The AUC really regulates to make sure that prices are fair with regard to impacts on rates. This particular deal will go, as I said, through the federal government process and will go through the AUC to consider whether the sale of AltaLink will impact rates. That's important for us to make sure that we have competitive rates and affordable rates for Albertans.

The Speaker: Thank you.

Mr. Anglin: I'm not talking rates. Listen now. Listen. Given that the price of electricity is less than 50 per cent of a utility bill and sometimes the cost of electricity is less than a third of a total bill and given that the real problems with consumers' bills are all those extra charges on the bill, now that Warren Buffett is buying AltaLink, will he be liable for some of these extra costs like transmission, or will consumers now subsidize one of the wealthiest men in the world?

The Speaker: The hon. minister.

Mrs. McQueen: Thank you, Mr. Speaker. As I said, it will go through a federal process. It will go through the AUC. As we build out transmission for an increasing population here in Alberta, for about every \$1 billion that's spent, it is about an extra dollar to Albertans' utility bills. But making sure that costs are competitive and affordable for Albertans is first and foremost in this government's mind. That's why we have an MLA review committee doing work for us. They'll be coming forward to us to make sure that there are affordable rates for Alberta as we continue to build out a transmission system.

The Speaker: Thank you.

Mr. Anglin: That answer is why you won't be government after the next election.

Given that SNC-Lavalin is going to profit \$2.4 billion thanks to Alberta's ratepayers and given that Alberta ratepayers will guarantee Warren Buffett, one of the wealthiest men in the world, an annual income of 9 per cent on all future transmission lines built, what's in this deal for Albertans, and who's looking after them?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Well, thank you, Mr. Speaker. As I said, the AUC looks at all of these, and they look at every penny that is being charged to Albertans. They will make sure the rates are affordable and are fair to Albertans. That is why we have an arm's-length regulator to make sure that it's looking after

Albertans and the costs to Albertans for electricity and for transmission in this province.

The Speaker: Thank you.

The hon. Member for Dunvegan-Central Peace-Notley, followed by Strathmore-Brooks.

Highway 744 Landslide Damage

Mr. Goudreau: Thank you, Mr. Speaker. Judah Hill slid in May last year, blocking highway 744. My constituents of Dunvegan-Central Peace-Notley use this route to get to Grimshaw and Peace River and back again. Although a temporary single-lane detour was established, travel through the area is neither safe nor reliable. My first question is to the Minister of Transportation. When can my constituents expect restored access through the Judah Hill landslide area on highway 744?

The Speaker: The hon. minister.

Mr. Drysdale: Thank you, Mr. Speaker, and thanks to the hon. member. He's always a strong advocate on behalf of his constituency. As I'm sure the hon. member knows very well, the Peace region is located in an active landslide region. Alberta Transportation has been managing landslides along 744 for many years, dating back to 1985. As of February 5 motorists have had access to one-lane alternating traffic on Judah Hill. Repairs on Judah Hill are expected to be completed and open to two-lane traffic by the end of August.

The Speaker: First supplemental.

Mr. Goudreau: Thank you, Mr. Speaker. To the same minister: what is the current status of the repairs to this important road, that my constituents rely on?

Mr. Drysdale: Mr. Speaker, the crews are currently working on installing two separate retaining walls on Judah Hill to help stabilize the hill and protect against future landslides. We know this area is unstable, so we'll try and mitigate for future damage. Contractors are also continuing to rebuild sections of 744 that slid away during the slide of May 18, 2013.

The Speaker: Final supplemental.

Mr. Goudreau: Thank you, Mr. Speaker. To the same minister: what is being done to prevent these landslides from occurring again? It seems that they're happening year after year.

Mr. Drysdale: Well, Mr. Speaker, as I mentioned, along with the measures that I just mentioned previously, Alberta Transportation has installed slide monitoring equipment; you know, a permanent structure to monitor slide activity in that area. This equipment is able to measure slide activity and provide some advanced insight into future potential slides. These steps along with our extensive geohazard risk assessment program, which monitors slides across Alberta, will help give us advance notice of possible slides in the future.

The Speaker: Thank you.

The hon. Member for Strathmore-Brooks, followed by Calgary-Mountain View.

AltaLink Sale Approval Process

Mr. Hale: Thank you, Mr. Speaker. Recently we learned that Warren Buffett's investment company, Berkshire Hathaway, is seeking to acquire the Alberta transmission company AltaLink, but the optics of this deal are giving some Albertans cause for concern. Berkshire Hathaway owns a major rail company that would be directly affected by the approval of the Keystone pipeline, and Mr. Buffett has major influence within the White House. Keystone delays have been characterized by *Forbes* magazine as a "Buffett bonanza." To the Minister of Energy: how will you ensure that this company has the best interests of Albertans in mind before it takes over one of our major utilities?

Mrs. McQueen: Well, Mr. Speaker, now, that's a good question. We continue to work to make sure that we're advocating for the Keystone pipeline. The Keystone pipeline and market access are very, very important to us. As I said earlier, the federal process will determine whether or not this sale goes through on the electricity side, but I can tell you that this government, this Premier, myself, our Minister of IIR, and other ministers are working very hard on market access to the United States, to the east, and to the west because that is job one for us.

Mr. Hale: Mr. Speaker, to the same minister: given that this major U.S. firm has its hands in many Alberta pots, from oil to rail, and ultimately must serve its investors first, is your government taking any concrete steps to ensure that this company supports the Keystone XL project and doesn't want to see it blocked, and if so, what are they?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. What we do is that we talk to a lot of people. Last week I was just in Pittsburgh and in New York – and another member was in DC – talking about the advantage of Keystone XL not only just for Albertans, Canadians, but for United States workers as well. We do everything we can to make sure Americans are aware of that, to make sure that the decision-makers in America are aware of that, and we will continue to do that. That side always complains about us going and making sure we're telling the Alberta story, but we will never stop telling that story.

Mr. Hale: Well, Mr. Speaker, we never complain about advocating for Albertans. We just want more than talk; we want something done.

Given that Berkshire Hathaway has to ultimately serve its investors first and considering that pipeline delays benefit its rail investments, what action would this government take if it was found out that any officials from this company were actively trying to influence the White House away from approving Keystone?

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

Mr. Dallas: Well, thank you, Mr. Speaker. This line of questioning has sort of arrived in the wonderland area. The reality of this is that the investment proposal will receive Industry Canada review, a full review, as the Energy minister has indicated. It'll work through the AUC review process. Clearly, to try and draw a relationship between a proposed investment and Keystone advocacy goes beyond the purview of this Assembly.

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

Protection of Vulnerable Children

Dr. Swann: Thank you, Mr. Speaker. This PC government talks about putting children first, but the evidence doesn't support this. The child advocate this week highlighted negligence in relation to a newborn's death in a family with long-standing mental health and addiction problems. In addition, there's no sign this government will reduce, let alone eliminate, child poverty or address the high child and family poverty in relation to healthy development and learning or break the cycle of poverty. To the Minister of Human Services: how was Baby Annie's basic health and safety so neglected?

2:20

The Speaker: The hon. Minister of Human Services.

Mr. Bhullar: Thank you very much, Mr. Speaker. The advocate has come out with a report this morning. It's something that we will ensure that we review, and that's part of the reason why we have Bill 11 in front of the House today. I want to make it mandatory that when there's an advocate's report that comes out with specific recommendations, the government is obligated to respond and the quality assurance council is forced to move on those recommendations to make sure they're implemented so we can better protect Alberta's youth.

The Speaker: The hon. member. First supplemental.

Dr. Swann: Thank you, Mr. Speaker. To the same minister: what new resources have you targeted to First Nations families to avoid these kinds of struggles?

Mr. Bhullar: Mr. Speaker, there's a variety of different challenges that we face with many, many families from a variety of different backgrounds when it comes to the care of children. There can be issues of abuse, issues of neglect, and everything that falls in between. It requires a real holistic solution based on the individual's needs to be able to help the family. For example, they could be mandatory addictions treatment processes and parental training processes that really deal with each family individually.

Dr. Swann: I guess the answer is: nothing new for First Nations.

When will you stop avoiding accountability for progress on child poverty and provide progress indicators on child poverty so you can be accountable?

Mr. Bhullar: Mr. Speaker, as we've said many, many times before, the fact remains that we are committed to ensuring that Albertans all across this province have opportunities to succeed. There are many, many reasons why people want to live in Alberta, and one of them is because of our strong, robust economic system. Everybody in Alberta has an opportunity to succeed. Where people need individual supports, we provide them. For example, in the area of child care – I know the member opposite is always speaking about that – we're the province that has a child care subsidy for people making \$50,000 or less.

The Speaker: Thank you, hon. minister.

Let's go on.

Task Force for Teaching Excellence Report

Mr. Bilous: Mr. Speaker, this PC government's whole legislative agenda has been to attack public-sector workers. This week it's our teachers. With the release of the Task Force for Teaching Excellence report this PC government is making teachers the scapegoat for problems they've created: chronic underfunding, larger class sizes, fewer resources and supports, and crumbling infrastructure. To the Minister of Education: blaming teachers, the very people whom you forced to make do with less every year?

Mr. Hancock: Mr. Speaker, that is a complete mischaracterization of the task force report. In fact, excellence in teaching is fundamental to any good education system. Alberta has one of the best education systems in the world; ergo, we have excellent teachers. But we need to be better. We need to look forward. So the task force identifies areas of teaching excellence, excellence in educational leadership, and excellence in assurance and suggests that we look at, collaboratively with other groups in the system, how we can do a better job.

Mr. Bilous: I suggest you start by looking at your broken promises.

Mr. Speaker, given that this government was elected on a promise of stable funding increases for our schools and given that, instead, it's been cuts, ballooning class sizes, and school closures, to the Minister of Education: 40-student math classes and closing neighbourhood schools, is that your idea of excellence in education?

Mr. Hancock: Mr. Speaker, excellence in education, as all the studies have shown, comes from how you can have a teacher who can inspire passion in the students to find what they're good at and to maximize their skills and abilities. That's excellence in teaching, and it can happen in any location. We strive to have great classrooms for our students. We're building 50 new schools and modernizing 70 other schools. That will be done. We are looking at how you can modernize the curriculum so that students can be prepared for tomorrow's problems. But at the root of it all it's excellence in teaching, and that's what the task force report is encouraging us to look at with all of our partners in the system.

The Speaker: Thank you.
Final supplemental.

Mr. Bilous: Thank you, Mr. Speaker. Class size affects excellence.

Given that the real solution to improving education is to ensure that classrooms are properly funded, low student-teacher ratios, and adequate supports for all students and given that attacks on teachers are a distraction from the real elephant in the room, will the Premier admit that what's really standing in the way of excellence in our schools is this PC government?

Mr. Hancock: You know, Mr. Speaker, the hon. member wants to talk about attacks on teachers. He's making it up, quite frankly. The task force report does not do that. The task force report outlines a number of key questions and makes some recommendations. The minister has indicated that those recommendations will be out there. The report will be out there. The groups, including the ATA, will be able to comment, will be able to participate, and then those comments will go to what's called TDPAC, which is a joint committee of the ATA and government appointees, in order to determine how we move forward in teaching excellence. That is fundamental work for the future of this province.

The Speaker: Thank you.

Protection of Vulnerable Children (continued)

Mrs. Towle: Baby Annie had traces of prescription drugs in her system and pneumonia caused by fecal contamination. Her mother was a known addict, and family violence was well documented. All six of her siblings were in government care, yet 17 hours after she was born, Baby Annie was sent home to her parents, and 14 days later Baby Annie was dead. What's shocking is that child services was involved with her parents for eight years, yet when Baby Annie was born, nobody thought that maybe it wasn't a good idea to send her home with these parents. To the Minister of Human Services: how do you explain yet another colossal systemic failure to protect two-week-old Baby Annie?

The Speaker: The hon. Minister of Human Services.

Mr. Bhullar: Thank you, Mr. Speaker. As I've said before, the report has come out, and we'll ensure that the government responds to every single one of the advocate's recommendations. The fact is that every child that passes away that is in contact with our system is a child too many. There is absolutely no question of that. This is a situation where we want to make sure that we are working very closely with other members of our government team to ensure that there's crossministry involvement with our children to better look after them.

Mrs. Towle: Given that issues of family violence and drug and alcohol abuse were well known and documented by child services and given that the Child, Youth and Family Enhancement Act prevented social workers from even conducting a safety plan prior to Baby Annie's birth, which could have identified ways to save her, Minister, if legislation is preventing safety plans which protect children just like Baby Annie, what is to say that another tragic death of a child won't happen again?

Mr. Bhullar: Mr. Speaker, those are some of the very questions that I'm asking right now myself. I think it's essential to see how we can work with families before there is a birth so that we can have the appropriate responses ready. There are, I'm told, some constitutional challenges that arise and have arisen in this area. The Supreme Court apparently has ruled in a few cases. Regardless of that, the question is: how can we ensure that we are better providing services to people on the front end so that we can help protect as many children as possible?

Mrs. Towle: I would be happy to work with the minister on how we remove that barrier.

Given that one of the recommendations coming out of the review of Baby Annie's death is that Alberta Health Services and children's intervention services should work together and develop a shared mandate for the well-being and safety of vulnerable children and given that this is the exact same recommendation that was made three years ago in the death of another young child, how many more children have to fall through the cracks and possibly die before the recommendations from three years ago are finally implemented?

Mr. Bhullar: Mr. Speaker, you'll find in the report that public health as well as Human Services did actually follow up with this particular family after the birth. They did have visits with the family as well. Regardless, it's a traumatic and very difficult situation that the child has passed away – there's no question of

that – and we're going to look for every way possible to see how we can work together to ensure that children are looked after.

The Speaker: Thank you.

The hon. Member for Stony Plain, followed by Airdrie.

International Trade Strategy

Mr. Lemke: Thank you, Mr. Speaker. My question is to the Minister of International and Intergovernmental Relations. Can the hon. minister tell us: after the many government trips to Asia in the last year what tangible benefit do we actually have to show for that?

The Speaker: The hon. minister.

Mr. Dallas: Well, thanks, Mr. Speaker. Our strategy certainly is working in China and around the world. During one mission in Asia alone we connected 15 small and medium-sized enterprises and vetted those with high-quality investors in Beijing. We signed a letter of intent with Heilongjiang province on environmental and economic development co-operation, and we secured an exchange of petrochemical industry related visits and a commitment to solidify an MOU with Dalian, China.

2:30

The Speaker: First supplemental.

Mr. Lemke: Thank you, Mr. Speaker. To the same minister: how do you justify government-led missions to foreign countries like China when Alberta is already paying for a presence in these jurisdictions through its international office network?

Mr. Dallas: Well, Mr. Speaker, international missions provide opportunities to meet face to face with senior-level decision-makers and partners. It helps us to lay the groundwork for formal agreements that increase trade and investment and, of course, new areas of co-operation. Government-led missions also open doors for Alberta companies, and that provides them with opportunities for vital introductions, increasing visibility at international trade shows. Last year we actually facilitated more than 1,400 business introductions, resulting in 197 negotiations and follow-up meetings.

The Speaker: Thank you.

Final supplemental.

Mr. Lemke: Thank you, Mr. Speaker. To the same minister. Alberta's market access efforts appear to mainly happen overseas. Tell me: how is the minister helping ordinary Albertans do business in emerging markets?

Mr. Dallas: Well, Mr. Speaker, exactly that way. We include Alberta businesses from right across this province in these international missions. We partner with economic developers to make sure that both urban and rural communities are included, and that's why we created the Small Medium Enterprise Export Council. Those councils are made up of business leaders from right across the province, and it's their expertise and passion that gives us advice on accessing markets around the world.

Assisted Reproductive Technology Policy

Mr. Anderson: Mr. Speaker, for millions of Canadians and Albertans having children is an essential part of them living a fulfilling life, yet 8 to 16 per cent of Albertans are unable to have

children due to infertility. In fact, over 12,000 Albertans are diagnosed with infertility every year. This means that in order to have a baby, a couple must often spend tens of thousands on assisted reproductive technologies to help them conceive. Many cannot afford these treatments. To the Health minister: will your government consider financially assisting couples trying to have a baby who are unable to without the aid of assisted reproductive technologies?

Mr. Horne: Well, Mr. Speaker, there are two provinces in Canada that have funded in vitro fertilization as part of their public health insurance program. One is Quebec, and more recently an announcement was made in Ontario about funding there connected with the most recent budget. We are looking at this technology in Alberta. I would agree with the hon. member that there are numerous couples in our province who are seeking and would benefit from assistance with this, but there are many serious questions to be asked beyond simply making the funding available.

Mr. Anderson: Mr. Speaker, the University of Alberta just released a 500-page report in February which studied, among other things, the cost of various government policies on assisted reproductive technologies and found that the current Quebec policy would actually save the Alberta government roughly \$3 million a year, mostly by avoiding expensive and dangerous pregnancy-related complications for older women with infertility issues who delay having a baby until they can finally afford private treatments. Minister, have you read this report, and if not, will you do so?

Mr. Horne: Mr. Speaker, I'm most certainly aware of the report, and I've been briefed on parts of the report. I haven't read it in its entirety. I'm sure, as the hon. member realizes, that the introduction of such criteria carries with it many serious questions that would have to be answered such as the age of a woman who would be eligible or not eligible to receive in vitro fertilization, the number of embryos that would be implanted, and many, many other serious questions. We are looking at this, we will move forward based on the evidence, and we're certainly sympathetic to Albertans who are affected.

Mr. Anderson: That's good to hear, Mr. Speaker.

Given that Quebec as well as the U.K., Australia, New Zealand, the Scandinavian countries, and most other large European nations have had a great deal of success with implementing a responsible policy to aid couples with assisted reproductive technologies and given that these policies have boosted birth rates, enabled tens of thousands to achieve their dreams, and actually saved the government money in the process, will the minister agree to have his ministry craft a similar policy for the thousands of Albertans who would greatly benefit from it?

Mr. Horne: Well, Mr. Speaker, as much as I appreciate the hon. member's interest in this topic, the absolute last reason that we would introduce such a policy in this province would be to save money. I've mentioned some of the criteria that need to be considered. A number of the countries that the hon. member mentioned do not have exclusively publicly funded health care systems. They have private systems, parallel systems, where these services are offered. In fact, the opposite is true with respect to the number of embryos that are involved in the procedure. Those can also lead to multiple births, which carry some serious complications of their own.

The Speaker: Thank you.

The hon. Member for Barrhead-Morinville-Westlock, followed by Cypress-Medicine Hat.

Temporary Foreign Worker Program Moratorium

Ms Kubinec: Thank you, Mr. Speaker. This last week I had a meeting with a group of 10 businesspeople from my constituency of Barrhead-Morinville-Westlock, who expressed great concern regarding the recent federal government announcement of a moratorium on temporary foreign workers in the food service sector. My question is to the Minister of Jobs, Skills, Training and Labour. What can we as a provincial government do about this flawed federal action, in order to support our Alberta businesses and our valued temporary foreign workers program?

Mr. Lukaszuk: Well, Mr. Speaker, without a doubt, the actions taken by the federal government relative to TFWs will be devastating to Alberta's tourism industry and the Alberta hospitality and hotel and lodging industry. I do agree with the federal government that any and all jobs available in Canada ought to be made available to Canadians first, I agree that perpetrators and abusers of programs and TFWs ought to be dealt with harshly, but the majority of Alberta business owners have been using that program diligently, and the whole industry should not be punished.

The Speaker: First supplemental.

Ms Kubinec: Thank you, Mr. Speaker. To the same minister: given that I am not the only MLA to have heard the hue and cry from business leaders, is there anything that we can do to help these temporary foreign workers, who contribute not only to our workforce but to our society as well?

Mr. Lukaszuk: Well, twofold, Mr. Speaker. As elected officials we should be expressing the opinion of Albertans and Alberta business owners to our federal government and making sure that they not only review the program and make it more conducive to TFWs and to businesses and to Albertans but at the same time not punish the same industry.

Relative to TFWs, Mr. Speaker, these are not numbers. This is not just an acronym. These are human beings that came to Canada with aspirations, and we must treat them with the dignity and respect that we treat all other workers with.

The Speaker: Final supplemental.

Ms Kubinec: Thank you, Mr. Speaker. My final question, again to the same minister: can you give me some advice on what to tell my residents and my business leaders about how they can handle this flawed movement to get rid of temporary foreign workers?

Mr. Lukaszuk: Well, Mr. Speaker, every time you pull up to a restaurant or perhaps if you have a nanny, a lot of the important work that's being done that allows the rest of the economy to function often is done by temporary foreign workers. I met with hundreds of business owners over the last week, and I am satisfied that they are doing what they possibly can to attract local employees, but simply none are available, particularly in areas of the province where the market is extremely tight. We have to communicate to the federal government how important these workers are to our economy and at the same time work really hard to engage Canadians in that employment.

Sage Grouse Protection Order

Mr. Barnes: The sage grouse is a very important species in southern Alberta and needs to be protected. The federal government has issued a protection order that affects 42 townships, causing unnecessary hardship on the oil, gas, and ranching industries. I firmly believe that not only does the sage grouse need to be protected, but the protection should come from the provincial government. A more effective and grassroots protection order could be issued by the minister of environment, allowing the province to take matters into its own hands. Will the minister commit to leading rather than following?

Mr. Campbell: Well, Mr. Speaker, we have had discussions with various landowners down in the south. We've talked to the Western Stock Growers' Association. We've talked to the Alberta Beef Producers. We are right now talking to the federal government. We're going to be sitting down with the state of Montana and the province of Saskatchewan to see if we can come up with a joint plan for that area of the province to protect the sage grouse.

The Speaker: First supplemental.

Mr. Barnes: Thank you, Mr. Speaker. Given that some industry experts estimate the economic impacts of the federal protection order on the oil and gas industry to be \$200 million over the next two to three years alone and \$200 million more to the ranching industry over the next two to three decades, can the minister of environment understand just how important it is that the proper solution be established to avoid severely damaging southeastern Alberta's economy?

2:40

Mr. Campbell: Well, Mr. Speaker, I'm very aware of the concern the member might have, but let's make it very clear. The federal government put this order in place without giving the province any warning at all. I think we were told at 4 o'clock the day before they put the order in at 8 o'clock the next morning. If the member across the way has an issue with somebody, he should be talking to his federal MP.

Mr. Barnes: Provincial inactivity, Mr. Speaker.

Given the strong precedent for state-level sage grouse protection orders coming from 11 states in the United States, is the minister not sorry that he failed Albertans by refusing to protect Alberta's environment and implementing a suitable protection order for the sage grouse?

Mr. Campbell: Well, Mr. Speaker, as I said before, the last time this member asked a question, I believe in private landowners' rights, so when we talk to stakeholders about what we're going to do to protect the sage grouse, we have to take that into account. We were working with industry, the oil and gas industry, and private landowners to put land aside for the sage grouse. Unfortunately, as I said, that member's MP supported an environmental order to move forward, and we now have the situation we're in today.

The Speaker: Thank you.

Hon. members, the time for Oral Question Period has expired.

I do have a request to revert to Introduction of Guests.

[Unanimous consent granted]

Introduction of Guests

(continued)

The Speaker: The Minister of International and Intergovernmental Relations.

Mr. Dallas: Well, thank you, Mr. Speaker. On behalf of the hon. Minister of Education it's a pleasure to rise today to introduce to you and through you to the members of this Assembly one of his constituents, Mr. Dan Dennis, and four visitors from Belgium. Dan is the youth exchange co-ordinator for the Rotary Club of Athabasca and has been hosting Janne Franssens, a student from Belgium participating in the program. Janne arrived in Athabasca last August to participate in a one-year exchange through the Rotary Club of Athabasca. Janne's family is visiting her until May 9, and they are here today with us as well, including Dirk Franssens, Janne's dad; Erna Stevens, Janne's mother; and Jean Stevens, Janne's opa. During their time in our province they will be touring Athabasca, Edmonton, Jasper, and Banff and, without a doubt, will get to see why we are all so proud to be Albertans. It's my pleasure to have them here with us today, and I would ask that they please rise to receive the traditional warm welcome of this Assembly.

The Speaker: Thank you.

Members' Statements

(continued)

The Speaker: Let us resume Members' Statements, starting with Sherwood Park, followed by Whitecourt-St. Anne.

Mental Health Week

Ms Olesen: Thank you, Mr. Speaker. Many Albertans may be surprised to learn that 1 in 5 people will experience a mental illness in their lifetime while the other four will know someone whose life is touched by mental illness. Yet despite this impact on almost all of us there is still a stigma attached to mental illness and still not enough open and frank discussion about mental health in general. This needs to change, and that's what Mental Health Week is all about.

This is the Canadian Mental Health Association's 63rd annual Mental Health Week, and it is from May 5 to 11. The theme is about encouraging us all to be more honest about how we really feel. Too often people will say that they're feeling fine when they're really not. Mental Health Week this year also aims to draw our attention to young women's mental health and the fact that women experience mental health problems differently than men. In fact, according to the Canadian Mental Health Association women are 40 per cent more likely than men to develop mental illness.

Our goal is to reduce the prevalence of mental illness and addiction in our communities through health promotion and prevention activities and to provide quality treatment for those who need it. We also aim to increase public awareness and understanding of addiction and mental health problems and to remove the stigma around mental health.

To show our support for Mental Health Week and increased mental health awareness, government members today are wearing a special Mental Health Matters pin with a green ribbon. We're proud to stand with Albertans to create more conversation around mental health and to reduce the harmful stigma that prevents too many people from getting the help they need. Let's all do our part

this week and throughout the year to raise awareness at home, at work, and in our communities.

Thank you, Mr. Speaker.

The Speaker: Thank you.

The hon. Member for Whitecourt-St. Anne, followed by Calgary-Mountain View.

Liberation of the Netherlands

Mr. VanderBurg: Well, thank you, Mr. Speaker. Today marks a very special anniversary for all members of the Alberta Legislature who have Dutch heritage. It marks the 69th anniversary of the liberation of the Netherlands by the Allied forces, and for the family of the Member for Calgary-North West and for mine it reminds us of our history and our heritage.

Through the winter of 1945 Canadian soldiers battled German forces throughout the Netherlands until May 5, 1945, when freedom was once again returned to the Dutch citizens, including members of my family, after five treacherous years of occupation during World War II. That's when very many of my family members were released from the work camps in Germany. As the tulips, gifted to Canada by the Netherlands, bloom in Ottawa every spring, it's a renewed reminder of the liberation and the sacrifice of 7,600 Canadians who gave their lives for freedom in the Netherlands.

Growing up as the son of a Dutch immigrant, I learned at a very early age the importance of today, May 5, and of 1945. My parents would proudly fly both the Dutch and the Canadian flags to remind the people of Whitecourt that the VanderBurg household had not forgotten. Mr. Speaker, the Dutch people both here in Canada and in the Netherlands have not forgotten this historic day and the Canadian soldiers who freed them. We're thankful for their sacrifice, and we will never forget them.

Thank you.

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

Supports for Children

Dr. Swann: Thanks very much, Mr. Speaker. This PC government claims to put children first, but their track record says otherwise. This government has promised to eliminate childhood poverty within five years, yet they refuse to define poverty and duck accountability for no progress. We see that children are still 44 per cent of food bank recipients, the second highest in the country and growing annually. Where's the commitment to children with the growing deficit in child care? Government has known for a decade that in-migration goes with rapid development. They need to act now.

Basic strategies to reduce childhood poverty are lost on this government – full-day kindergarten, universal child care, a provincial tax benefit, and a breakfast program – basic changes made in other provinces that give children a head start in healthy development, break the cycle of poverty, and enable parents to participate in our economy. Hungry children cannot learn, be healthy, or meet their potential. No child in this province should ever start school without a good breakfast. High-risk families must be identified early, and supports, both material and psychological, must be provided to reduce the learning, emotional, and behavioural damage that predictably results. Prevention and early intervention in these families is well known to reduce suffering, improve societal functioning, and save government resources at a ratio of 7 dollars to 1.

Access for children to mental health services, long underfunded, continues to lose ground despite this government's late commitment of a 6 per cent funding increase this year. Rising school fees due to underfunding of our public education and busing fees are adding great stress to young families. An ideological resistance to reviewing our tax system, as the Alberta Liberals have been calling for for years, continues to compromise all of our future.

Inexplicably, this government also rejected other progressive actions such as promoting inclusivity through gay-straight alliances and reducing . . .

The Speaker: Thank you, hon. member.

Presenting Petitions

The Speaker: The hon. Member for Bonnyville-Cold Lake with a petition.

Mrs. Leskiw: Thank you, Mr. Speaker. Today I have a petition with over 260 signatures collected by Nicole Ardell from Fort McMurray, who's seated in the members' gallery, with the aim of improving the immunization process for children in Alberta schools.

Thank you, Mr. Speaker.

Introduction of Bills

The Speaker: The hon. Minister of Environment and Sustainable Resource Development.

Bill 12

Statutes Amendment Act, 2014

Mr. Campbell: Thank you, Mr. Speaker. I rise to request leave to introduce Bill 12, the Statutes Amendment Act, 2014.

This bill makes amendments to update several pieces of legislation, Mr. Speaker, to ensure that Albertans continue to be well served. Making these amendments and modernizations will also help ensure that Alberta's legislation is consistent and clear. This bill includes amendments to the Government Organization Act, the energy statutes act, the relationship statutes act, the Charitable Fund-raising Act, the Vital Statistics Act, the Societies Act, the Health Information Act, and the Regional Health Authorities Act. I look forward to getting into the specifics in more detail during second reading. I'll pass the requisite number of copies to the Clerk.

Thank you, Mr. Speaker.

The Speaker: Thank you.

[Motion carried; Bill 12 read a first time]

2:50 Tabling Returns and Reports

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

Mrs. Jablonski: Thank you, Mr. Speaker. Today I have two tablings. The first one is from the Alberta Committee of Citizens with Disabilities, who state that

on behalf of the . . . Committee . . . we wish to let you know that ACCD supports Bill 203, the Childhood Vision Assessment Act, which ensures that every child in Alberta receives a visual assessment. It is of great importance that a child has an eye [exam] at an early age from a licensed vision health professional

as vision health is critical to a child's learning and future success.

My second tabling is from the Canadian National Institute for the Blind, letting us know that in the month of May we can recognize Vision Health Month in the Legislature and share some of the following information with our colleagues. Mr. Speaker, I just note that one of the points that they want us to share in this tabling is: "Many serious eye conditions have no symptoms and can only be detected through a comprehensive eye exam – even someone with 20/20 vision may be at risk."

I'm tabling those copies.

The Speaker: Thank you.

The hon. Member for Edmonton-Calder, followed by Calgary-Mountain View.

Mr. Eggen: Well, thanks, Mr. Speaker. I actually have two tablings here, the first being another 50 of the more than 4,000 postcards our offices have received asking this PC government to restore consistent, reliable funding to postsecondary education in Alberta, collected by the Non-Academic Staff Association at the University of Alberta.

I also have the appropriate number of copies of a letter that was written by the mayor of Calgary to the Premier, strongly urging to table Bill 9 or put it on ice, which just happens to be an amendment that's on this evening that the New Democrats did put forward a couple of weeks ago.

Thank you.

The Speaker: Hon. Member for Calgary-Mountain View, I understand you have several tablings.

Dr. Swann: Yes, I do. Thanks very much, Mr. Speaker. The first is a tabling of an article from the *Edmonton Journal* regarding the issue of family care clinics and the province not reaching its target.

The second is an article from the *Calgary Herald* reporting on a bioethicist's comment relating to his support for mandatory immunizations as a method of saving lives.

The final one relates to an Alberta Federation of Labour commissioned legal study of Bill 10 and a rejection of the fundamentals therein by Mr. Murray Gold and a brief by the Alberta Federation of Labour from May 2014 also condemning the bill.

Thank you.

The Speaker: Thank you.

Hon. Member for Cardston-Taber-Warner, did you have a tabling as well?

Mr. Bikman: I do. Thank you, Mr. Speaker. A couple of people have written to us about their concerns on the government's decision to open season on sandhill cranes. Jessie McKay wrote that her husband, Bill, was a lifetime naturalist and ornithologist who took these birds under his wing, so to speak, and observed, photographed, and documented their lifestyle, even followed their migratory patterns and journeys. She says that he would be devastated at this government's actions. Richard and Wendy Houle also wrote with similar concerns and sent a copy of the letter that they wrote to the ESRD minister. I have the requisite number of copies for those.

The Speaker: Thank you.

Are there others? The hon. Minister of Energy.

Mrs. McQueen: Well, thank you, Mr. Speaker. I'd like to table the appropriate number of copies on an earlier discussion we had in question period here, a question about Warren Buffett, which says, "I'd vote 'yes' on Keystone pipeline: Warren Buffett."

Thank you, Mr. Speaker.

The Speaker: Thank you.
Are there others?

Tablings to the Clerk

The Clerk: I wish to advise the House that the following documents were deposited with the office of the Clerk. On behalf of Ms Blakeman, hon. Member for Edmonton-Centre, a report entitled Childcare and School Vaccination Requirements, 2007-2008, prepared by the Centers for Disease Control and Prevention.

On behalf of the hon. Mr. Lukaszuk, Minister of Jobs, Skills, Training and Labour, pursuant to the Regulated Forestry Profession Act the College of Alberta Professional Forest Technologists 2013 Annual Report; pursuant to the Agrology Profession Act the Alberta Institute of Agrologists 68th annual general meeting report, April 1, 2014; pursuant to the Engineering and Geoscience Professions Act the Association of Professional Engineers and Geoscientists of Alberta annual report 2013.

The Speaker: Hon. members, there are no points of order today, so we can move on.

Orders of the Day

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

Bill 204

Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014

[Debate adjourned April 14: Mr. Scott speaking]

The Speaker: The hon. associate minister.

Mr. Scott: Thank you, Mr. Speaker. Just to pick up where we left off approximately two weeks ago, we were debating Bill 204 and discussing the intricacies of it. One of the points that I made during that debate was that there is already a section in the current Freedom of Information and Protection of Privacy Act, section 93, that does provide for fee waivers when it's in the public interest.

Mr. Speaker, carrying on where we left off, the policies need to be crafted in a manner that allow them to be manageable and straightforward in both implementation and in practice. A great deal of work needs to be put into ensuring that there is as little grey area and as few loopholes as possible. I think we can see that Bill 204 does not meet this criteria. As the bill stands in its present form, there is far too much ambiguity. The consequence is that the bill's result would be the exact opposite of its intended goal.

If we are making changes to how FOIP works, then presumably we are attempting to enhance accountability and transparency. Given the substantial holes exhibited by Bill 204 in its present form, the bill in fact introduces far more confusion and makes the process that much more opaque than it should be. It does not do anyone any good if the mechanism for accountability is itself unaccountable. It escapes me how a structure that could see unused FOIPs traded and swapped could possibly be accountable and transparent. Where is the oversight? Where is the fairness?

It is because of these glaring problems that no other provincial jurisdiction in Canada allows MLAs or other publicly elected officials to receive fee waivers, let alone a yearly allotment of FOIP requests. It is very easy to see why this is the case, Mr. Speaker. Besides obstructing transparency, the proposal in Bill 204 is simply impractical, not to mention costly. Allowing four free FOIP requests per year per member would have a substantial impact on the growing volume and cost of FOIP requests for the government of Alberta. Here I thought that the members opposite wanted to cut costs. Evidently, I was mistaken.

Let's mention some numbers here. In the last fiscal year the government of Alberta spent approximately \$9.5 million while responding to more than 4,200 access requests made under the FOIP Act. Of all those FOIP requests approximately \$125,000 of fees were assessed to applicants. After fee waivers only approximately \$100,000 was collected. Long story short, Mr. Speaker, that is a lot of money that must be spent by the government of Alberta to fulfill these requests.

We need to make sure that we are balancing getting information out and doing so in a responsible way to taxpayers. The fees amount to very little compared to the total cost. Bill 204 utterly fails to take this into account. Bill 204 would actually increase costs, as the numbers clearly indicate. The average current cost to process a general FOIP information request to the government of Alberta is approximately \$8,000.

Members of the party opposite should be subject to the same merit-based qualifying process to request a fee waiver as are members of the general public and all other groups who may be making requests based on things that are in the public interest. Why would we encourage a model that places the interests of one group over the other?

Mr. Speaker, a comprehensive review of the FOIP Act is under way, one that involves extensive public consultations across the province. During the review all aspects of FOIP are being looked at, not just providing free FOIPs to MLAs. Needless to say, I cannot possibly support Bill 204 as the FOIP Act already permits fee waivers regarding information that is deemed in the public interest or if the applicant cannot afford to pay.

Thank you very much, Mr. Speaker.

The Speaker: Thank you.

Are there others? The hon. Member for Edmonton-Calder.

3:00

Mr. Eggen: Well, thank you, Mr. Speaker. This is my first opportunity to speak to Bill 204. I do thank the member for bringing it forward. I think it's a great opportunity for us to talk candidly about problems about accessing information here in the province of Alberta. The freedom of information legislation as it stands has the effect of resisting our capacity to get information that we need to do our jobs, to find the information that helps to clarify bills, to help to clarify policy, which is the job that we are given here as part of the opposition. This information, that should be rightfully available to the opposition in order to do our jobs properly, is systematically sort of cloaked in the legislation and the capacity of each ministry to withhold information.

What's happened, then, when we have the freedom of information act is that everything is pulled back so much that we have to try to cast the widest possible net in order to find and make a more specific request so that we can get the information that we need. That's why a lot of these freedom of information requests end up being very, very expensive. It's not as though we are making a frivolous request. Instead, we are trying to look through this concrete wall that's been created by each ministry

and find those threads that we want to pull and somehow help to clarify the public interest. I think that the fee structure is in the way, but I think the lack of the spirit of openness is in the way as well.

I guess what I would like to see is for us to have an open discussion about the fee structure for FOIP requests, with the idea, if not of waiving part of the fees that are put onto these FOIP requests, then at least, perhaps, of reducing them or having a per caucus allotment that we can access as well. The problem, I guess, that I see – again, this is not to criticize the spirit of this bill brought forward by the Member for Cypress-Medicine Hat. I think just specifically that if you are handing out sort of these four free FOIPs, as the hon. member would suggest, then it would perhaps be better targeted if we just handed out a certain allotment of FOIP capacity to each of the opposition caucuses in general. I mean, I think that's what I would prefer to see. Certainly, the government side has the capacity to access that information anyway, so that's not a big deal. If we manage to hand it over by caucus, then it would allow our researchers and our members to do their jobs better and in a more focused manner, I suppose.

If we concentrated on making government more transparent and open in general through open-data initiatives or some other alternative means of data sharing, then I think that it would help to reduce FOIP requests, and I think that it would help a more honest, sort of less adversarial exchange of information like we have now. You know, we had the whole controversy here, Mr. Speaker, just before the constituency break about the possibility that FOIPs were being vetted or somehow looked at by the government side. I don't know what was really going on, but we could miss all of those controversies and misunderstandings by having more transparency and access through open-data systems for information in general, right?

I think we all watched the WikiLeaks phenomenon across the globe and other massive leaks of government information similar to the WikiLeaks. Those things only happen because there's that idea of a cloak of secrecy in the first place, that makes certain individuals want to push up against it. While some of that information might have been dangerous or inappropriate to have for public consumption, certainly when we're talking about the fee structure for the Ministry of Health in primary care networks, this is not top secret information that would somehow rank with submarine positions of the Americans or whatever. It's information that is quite mundane and run of the mill but very important for us in order to build the future of, say, community health initiatives, that we all need to have here in this province.

We as Alberta New Democrats would like to see that we have more open and transparent mechanisms available, that there is more provision for opposition parties to not be chasing down very, very expensive FOIP requests. I was looking at some of the ones we had recently. We had two requests to the Ministry of Education that came back with a combined total of more than \$14,000 – right? – and these were quite specific, well tailored. We had a Human Services one talking about PDD programming and service delivery. It came back at \$11,000. We had two FOIPs sent to Alberta Health in January that came back at \$1,674 and \$1,417 respectively and a third one at \$2,578. This is just very specific information on serious incidents to do with fatalities within care facilities. You know, we weren't asking for the moon here or casting out, as people like to say, on a fishing expedition, but just very specific.

These all add up, Mr. Speaker. I think that for the sake of the public interest, for the sake of transparency and good governance that we do reduce these fee structures somehow. I guess the for-free sort of voucher idea that the member brought forward – as I

said, it gives us, I think, a great opportunity to cast a light on how we need to reform this whole system. So for that I do very much appreciate his private member's bill being brought forward. I think that we all can learn and be edified from that.

Thank you very much.

The Speaker: Thank you.

The hon. Member for Calgary-McCall.

Mr. Kang: Thank you, Mr. Speaker. I'm also standing up in support of this Bill 204, Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014. I fully agree with the Member for Edmonton-Calder. You know, the associate minister of – IT and T, is it? I was away.

Mr. Donovan: AT and T.

Mr. Kang: AT and T. Sorry.

He claims to have the gold standard, you know, when it comes to transparency. What I heard from the Member for Edmonton-Calder is that it's costing thousands of dollars to have FOIPs done. This bill is in the right direction. It will make it easier to maybe do FOIP requests by the opposition MLAs. It will be easier to have the fees waived, but it will still risk being a months-long process, which we go through every day anyway.

Anecdotal experience from previous fee-waiver requests shows that public-interest waiver requests can take more than three months. If the public body denies it, appeals to the Information Commissioner can take months as well. Although our researcher hasn't encountered that, it is theoretically possible to pay large fees for assessment and then appeal it. Who knows if the appeal will be successful or not? You know, the \$25 initial fee is very difficult to get waived, which buys only 150 dollars' worth of search time. I don't know what can be accomplished for 150 dollars' worth of search time. I don't know how far that will take us on the FOIP request.

3:10

In the experience of the Liberal researcher a public body either begins searches when they see our purchase order or when they see the Legislative Assembly cheque after rejecting our purchase order. FOIP officials that have no recent history with the Liberals are more likely to start searches only after receiving Legislative Assembly cheques. When search processing costs are estimated to be more than \$150, requesters are responsible for the full amount. If a requester can't afford to pay the full amount, then there goes the request. If the processing is estimated to cost \$149, the requester only pays \$25. Again, I stress the point that I don't know how much 150 dollars' worth of search can buy to do the FOIP request.

Definitely we should have some better mechanisms, maybe, in place so the opposition could properly do its job. I don't know what that entails, why it costs so much to do a FOIP request. This bill is definitely a step in the right direction. Before I go any further, Mr. Speaker, I will be supporting this bill.

Thank you very much.

The Speaker: Thank you.

Are there others? The hon. Member for Cardston-Taber-Warner, followed by Banff-Cochrane.

Mr. Bikman: Thank you, Mr. Speaker. It's an honour to rise today and speak in favour of something so vital and critical to democracy and to good government. It's clear that in a situation like we have, in a unicameral governing body where the majority

rules and where they clearly, contrary to what was said earlier, vote en bloc, because they are the majority, they can stifle the free distribution of information or the free discussion of bills like this. It's important that we're able to get the information that this would make available in a freer and easier way.

It helps MLAs do their jobs. We must remember that each of us represents a constituency, not a party, and we represent the constituents in our area or riding. It's our job to do the best that we can to keep them informed or to help them find answers to questions or issues that they raise with us. Bill 204, by allowing each MLA four public-interest fee waivers, would help us do that job. The job of the opposition, obviously, is to oppose legislation that we think is inadequate or heading in the wrong direction or is incomplete and to propose amendments that will make it stronger. Our job also, of course, is to expose error and corruption and waste, and of course many people are telling us that we're doing a good job of it. This will allow us to do a much better job of it.

We notice that it's always the catalyst that provokes change. It's like, you know, my grandson: I won't do it again, mommy, now that you caught me. But until you're caught, you show no inclination or no initiative to make this change on your own, which indicates questionable integrity, in fact a lack of it, in our opinion. Allowing this information to be more freely and readily available will allow us to do our job. If this government, in fact, votes against this legislation en bloc, then they are kind of making a mockery of their famous gold standard of transparency and accountability. [interjections] Yeah. Well, I'm here to say that it's pyrites, which you all know is fool's gold. Anybody who believes that this is real gold would be foolish if they claimed it or if they expected anybody else to believe it.

The costs that the government incurs . . .

An Hon. Member: The pyrites standard.

Mr. Bikman: That's right. The pyrites standard. We'll change that. I wish I'd have thought of that.

The public interest most commonly used by the opposition and the media – there are three main criteria in deciding if something is in the public interest:

Will the records [that are being sought, the information that will be gained] contribute to the public understanding of, or to debate on or a resolution of, a matter or issue that is of concern to the public or a sector of the public, or that would be, if the public knew about it?

Now, earlier today we had the Premier indicate that his apology was for not communicating better. He was sort of apologizing on behalf of Albertans for not understanding what the government was trying to communicate or say. So if you really listen to what he was saying, there was no apology at all. It was an indictment of Albertans for not getting it.

Well, the reason that you've been getting it is that we've been finding out what you've been doing all these years and exposing it. The job of the opposition, done properly, is to expose this kind of information that we obtain to the public by, in fact, having things publicized by the media, by the proceedings of question period or other actions that we take in this House being broadcast or reported on. While you don't value our opinions very much, you value the public's opinion a great deal, and when we expose the things that we've discovered through FOIP, what we're doing is exposing you to public opinion, and in the court of public opinion you consistently are found guilty. You change but only when you're exposed.

The second item of criteria. "Is the applicant motivated by commercial or other private interests or purposes, or by a concern

on behalf of the public or a sector of the public?" Well, of course, MLAs are guided by the ethics that indicate that we are required to only seek information that is in the public interest, so by allowing MLAs access to four free FOIP requests, we're actually allowing the government to function at a higher level and in a more effective and cost-effective way. Correcting things that are wrong is far more costly than doing it right the first time. I think that all of us that have grown to the ages that would qualify us to be here, with the experiences of our lives, would know that. If you've got time to do it over again, you had time to do it right the first time. If the risk of exposure is greater, you're less likely to do things that you think might be hidden or swept under the carpet. It's our job to know what corners of the carpet the dust is under and which closets the skeletons are hiding in and where the dead bodies are.

The third thing is, "If the records are about the process or functioning of government, will they contribute to open, transparent and accountable government?" I think that's critical. That's absolutely critical, especially when the government has so successfully deluded the public for so many years. It was interesting during our first few months in this Chamber to notice the deer-in-the-headlights look of this government when it found itself being attacked in a credible way by true small "c" conservatives, a constituency that you'd abandoned. All of your guns were pointing to the left, a sort of political Maginot line, if you will, and you couldn't turn them back around. You had this "What's happening?" deer-in-the-headlights look. It was humorous, but it's made government better. It's made you better, whether you'd like to admit it or not, because you've been held accountable, and up till now nobody really had been able to do that.

We need to have this. This is a good bill. It's a good proposal, and if you're sincerely interested in helping our province be better governed, you will allow this bill to pass.

Thank you very much.

The Speaker: Thank you.

I have the hon. Member for Banff-Cochrane, followed by Barrhead-Morinville-Westlock.

Mr. Casey: Thank you, Mr. Speaker. I rise today to speak to Bill 204, the Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014, brought forward by the hon. Member for Cypress-Medicine Hat. This bill proposes to provide all Members of the Legislative Assembly with four annual complementary, or free, freedom of information and protection of privacy, or FOIP, requests. Of course, we know that they are anything but free.

Mr. Speaker, Bill 204 is not only bad politics; it's bad policy. A lot of time and money goes into administering every single FOIP request. On average it costs approximately \$8,000. Multiply that by four and by 87 members, and you get to a grand total of \$2.7 million that taxpayers could potentially be on the hook for at the end of the day. It is extremely unsettling that the party opposite finds it appropriate to use their position as MLAs to try to put into place legislation that would give them, for the lack of a better term, freebies, but that is exactly what Bill 204 proposes. Perhaps the correct term we are looking for here is "entitlement."

3:20

Mr. Speaker, do not get me wrong. I believe the FOIP process is a mechanism that definitely encourages transparency and accountability, and I appreciate all the hard work and effort that goes into producing FOIP requests. However, a FOIP request

could also be used to pressure public bodies into releasing confidential and sensitive information. Let me point to an incident that occurred after the 2012 provincial election involving the county of Stettler. The county was accused of contravening the Election Finances and Contributions Disclosure Act by using staff time to promote a candidate running against the hon. Member for Drumheller-Stettler. Instead of first approaching the county of Stettler to request information in a diplomatic manner, the party opposite chose instead to send frivolous and nonspecific FOIP requests. In other words, instead of good old-fashioned communication and co-operation the party opposite declined to reach out to the county in a respectful and diplomatic manner.

Now, Mr. Speaker, how can the members across the aisle, who pride themselves on being focused at a grassroots level, use their status as MLAs to frivolously fish for nonspecific, general information that costs municipalities, public bodies, and taxpayers time and money?

In an article from the *East Central Alberta Review* that was published on March 6, 2014, Councillor James Nibourg also discussed the incident. The article stated, “FOIP requests are a double-edged sword” due to the sensitivity of the information being requested, one that often requires public bodies to engage in a balancing act. Nibourg also went on to state, “Good communication is the key to prevent these situations” from occurring. The article also noted that the county of Stettler reached out to the Official Opposition on several occasions. In another article, by the *Stettler Independent*, titled County Faces Election Alberta Inquiry, county Reeve Wayne Nixon stated that they even reached out to the Leader of the Official Opposition and did not receive a response.

Mr. Speaker, in January of this year Elections Alberta ruled that the county of Stettler did not violate financing bylaws in the 2012 election, vindicating representatives of the county. Nonetheless, officials were disappointed by the way the party opposite handled the situation. In January of this year the *Stettler Independent* ran an article focusing on Elections Alberta’s ruling, one in which the hon. Member for Lac La Biche-St. Paul-Two Hills was quoted as saying:

We’ve done many, many FOIP requests, and generally speaking, people are just forthcoming and provide the information. Most often, there’s nothing there, but when someone does fight it, that’s when we tend to think there may be something there.

Yes, I will table all the documents tomorrow in the House.

Now let me focus on the statement “Most often, there’s nothing there” because, Mr. Speaker, I believe this really does speak volumes when discussing Bill 204. If, as the hon. member alludes, there’s mostly nothing there with regard to the completed FOIP request, why go out of your way to malign the good reputations of elected officials and cost all taxpayers millions of dollars a year? Are we to believe that Bill 204, given the experience of the county of Stettler, brings more transparency and accountability? We are talking about governmental policy that could affect everyone in the province. Moreover, we are talking about a policy that would place undue cost on taxpayers and municipalities in particular.

Mr. Speaker, Bill 204 would contribute nothing to building a stronger Alberta. On the contrary, it would promote a divisive environment, foster a culture of distrust, and undermine the hard work of our public servants. Nothing positive comes about from witch hunts. FOIP requests not only take up public time, but they also draw on public money, money that the members opposite believe they are entitled to. Members of the public must pay the whole or a portion of the FOIP administration fees of their requests, so why create a two-tiered FOIP system that places the

interests of MLAs over those that they are elected to serve? Again, this not only illustrates the lack of rationale behind Bill 204 but also the Official Opposition’s lack of understanding regarding good governance. Who’s to say that these complimentary FOIP requests would not be marred by partisan motivations or clouded by ideological bias having nothing to do with policy of the day or government matters or simply be used for personal attacks on the members?

We must protect the efficacy and integrity of the FOIP process, and I do not believe that this bill would result in either. I will not stand in support of this bill, and I encourage all of my hon. colleagues to do the same.

Thank you, Mr. Speaker.

The Speaker: Thank you.

Hon. members, this being a private member’s bill, 29(2)(a) is not available, for those of you who have written. Also, based on the one list I’ve received and the notes and other hand signals and so on I’ve just received, here is the speaking order for the remaining half-hour or so of the bill. I have Barrhead-Morinville-Westlock, followed by Olds-Didsbury-Three Hills, followed by Lesser Slave Lake, and then, if time permits, Rimbey-Rocky Mountain House-Sundre, the Associate Minister of Seniors, and Drumheller-Stettler.

Mr. Anderson: Mr. Speaker, point of clarification.

The Speaker: The hon. House leader for the Wildrose.

Point of Clarification

Mr. Anderson: According to section 13(2) – I just wanted a point of clarification from you – in this House when we’re doing private members’ business or bills in general, we usually rotate between opposition and government. In this case that wasn’t the case. Could that happen?

The Speaker: Thank you for asking. In fact, we have had two speakers from the Wildrose, including the sponsor, which you should include in your thing, and then I recognized the second one there. Now I’m recognizing two in a row over here, and then we’re alternating back and forth based on the order in which they were received. I go by the notes, and that’s why I have times written on all the notes, when they were received. I hope that clarifies that.

Let’s go. Barrhead-Morinville-Westlock.

Debate Continued

Ms Kubinec: Thank you. I rise today to speak to Bill 204, the Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014, brought forward by the hon. Member for Cypress-Medicine Hat. Bill 204 proposes to amend the Freedom of Information and Protection of Privacy Act, or FOIP Act, in order to waive FOIP fees for all Members of the Legislative Assembly.

Today I would like to focus my remarks on hard-working people, our many talented public-sector employees who contribute their skills to serving our province. These important people work on the front lines and behind the scenes, utilizing their expertise to ensure that programs run effectively and that Alberta remains at the forefront of public service. In addition to providing much-needed front-line services, there are a number of skilled independent officers that work to provide greater accountability and transparency in government. For instance, the Auditor

General is responsible for auditing every government of Alberta ministry and department, providing direction and oversight to the Standing Committee on Public Accounts. The office of the Information and Privacy Commissioner of Alberta, or OIPC, is also an independent office of the Legislature, that was established in 1995.

As proposed in Bill 204, the OIPC, which provides oversight for the Freedom of Information and Protection of Privacy Act, would also provide oversight of these four annual and complimentary FOIP requests. Currently, as the OIPC's 2012-2013 annual report states, the office employs a complement of 40 staff in two offices, one in Calgary and one in Edmonton. Over the course of 18 years the OIPC has become a caretaker of privacy in the province, aiding in the resolution of privacy complaints and concerns, conducting investigations, and releasing the office's findings.

Mr. Speaker, it is these vital, nonpartisan, and independent public-sector workers, both behind the scenes and on the front lines, who help to make our province the success it is. I am grateful to them, and I commend them for all their hard work. That is why I find it truly mind-boggling that the member opposite would implement the amendments that are proposed in Bill 204.

Wasn't it the Leader of the Official Opposition who called for the random elimination of at least 50 per cent of our province's public-sector managerial workers? Yes, you heard me correctly: 50 per cent of all managers. Some of us might have a hard time recalling this statement, so let me refresh your memories.

3:30

On February 20, 2013, Global Edmonton quoted the Leader of the Official Opposition as saying, "You'd need to cut management by 50 per cent if you're actually serious about reforming the way the public service works." Reforming the way the public sector works. Hmm. That's pretty rich coming from members across the aisle who cry foul when independent officers such as the Ethics Commissioner rule out of their favour.

In terms of coming up with the 50 per cent figure, one would question what research was cited as reference to such an arbitrary number. Does the party opposite have some kind of independent, nonpartisan evidence that supports this figure? Does the party opposite appreciate the high level of responsibility and pressure that managerial staff take on in these roles? Frankly, Mr. Speaker, it does not appear so.

How can the Leader of the Official Opposition propose to cut the public sector's managers by 50 per cent while another member proposes to increase the workloads of the public-sector workers, including managerial staff, with the allotment of four complimentary FOIP requests per year? Doesn't this proposition come across as a little contrary? One would think that common sense would prevail in these situations, but somehow common sense doesn't always prevail.

Mr. Speaker, the FOIP process can be an onerous one that involves drawing greatly on public reserves and resources, public time, and, of course, public money. High-level and highly sensitive information is involved, needing the expert authority of managerial government workers to deal with the given FOIP requests. If, as the Leader of the Opposition stated, managerial staff were to be cut by such a large margin and Bill 204 became law, how would a given public body be able to effectively aid in completing capably a given FOIP request, let alone the possibility of simultaneous requests?

I believe that this is not only a recipe for disaster but another example of the party opposite's poorly-thought-out policies. Call me a mind reader, but I can see the adverse effects this broad cut

of public-sector managers would have on the timely services and programs our province currently offers, ones that people such as our seniors need and appreciate. Like a trickle-down effect, I could see how some of those who called for such a random cut complain when a public body's FOIP completion is taking too long and forget that it is our valuable public-sector employees who would be hard-pressed to complete the FOIP for a variety of reasons.

Now, it might be a long shot, but perhaps a junior public-sector worker might need to draw on the knowledge and skill of a more experienced colleague, or what if there just aren't enough people available to complete the requests in a timely manner, leading the given public body to have no other choice but to hire new employees to help process the FOIP requests? This, Mr. Speaker, is a reality that may come about with the amendments proposed in Bill 204. Given that the independent office of the Information and Privacy Commissioner has a current complement of 40 staff and if you take into account the potential amount of extra resources that would potentially need the oversight of the OIPC, there could be a need for the office to hire more staff to deal with the potentially large barrage of requests from MLAs.

Once again, does the party opposite really want to cut the public sector's managers by 50 per cent given this very real prospect, and does the party opposite really want to minimize the hard work that all of our public-sector workers, regardless of title, provide on a daily basis by making such sweeping comments to the media? Generalizations founded on arbitrary figures have no useful place in any objective analysis or constructive debate, but once again I'm not surprised and have come to expect this level of rhetoric.

I thank the hon. member for allowing me to be able to comment on all our hard-working public-sector employees, and I stand firmly against Bill 204. Thank you, Mr. Speaker.

The Speaker: Thank you.

Hon. members, just before Barrhead-Morinville-Westlock spoke, I indicated there would be about half an hour left. In actual fact, I thought we had a total of about an hour and five minutes, but we actually had 105 minutes in total at that point. So this debate can go on, if you wish, until approximately 4:40, which means we should be able to get in all the speakers on the list.

Let me move on hastily to Olds-Didsbury-Three Hills, followed by Lesser Slave Lake.

Mr. Rowe: Thank you, Mr. Speaker. It is with great pleasure that I rise to support my colleague and speak in favour of Bill 204, the Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014. This bill, proposed by the Member for Cypress-Medicine Hat, will allow four public interest fee waivers per year so MLAs can hold this government to account.

[The Deputy Speaker in the chair]

Over the past few years FOIPs have become the major source of information on how this government conducts its business. Despite having created a ministry to oversee and assure government accountability, transparency, and transformation, little has been done to make progress on any of these areas, so it is on the backs of opposition MLAs to find the truth and hold them to account.

Mr. Speaker, AT and T: I'll give them one out of three that they've gotten somewhat right. There's certainly not a whole lot of accountability, there isn't any transparency, as we've seen with the way they approach Bill 9, but I will give them transformation. They have transformed themselves into something. We're just not

sure what, and I'm not sure that the members across the aisle from us are sure just what they are or what they represent now.

One of these methods is through FOIP. The Wildrose believes in open, transparent, and accountable government. Granting fee waivers to MLAs is a step towards a more open government. FOIP can be a costly process, which can reach totals in the thousands of dollars on any given issue. Despite an already existing clause that allows for fee waivers in the public interest, valid applications which meet the requirements are frequently denied.

Mr. Speaker, members in this Legislature are given limited budgets to manage our offices and ensure that we are able to effectively communicate with our constituents and Albertans. Cost cannot be an excuse to deny access to information. This bill will correct that and allow MLAs to pursue issues for their constituents that otherwise would have proven too costly.

The government wants the public to believe that this bill would result in frivolous applications and an increased cost burden on the public dime. I argue, Mr. Speaker, that even if costs increase, this is a small price to pay for increased public knowledge and democracy. However, I sincerely doubt this will make a noticeable impact on the budget given that backbenchers on the other side are unlikely to collect and expose any data on government waste or abuse. Both points mute this government's fearmongering.

The last comment I would like to make is a comparison between Alberta and our federal counterparts, where fees are not assessed by the government of Canada under access to information. In fact, all that is required is a \$5 application fee. This is in sharp contrast to Alberta, which charges \$25 per application and then any fees over \$150 for records.

I will close with a couple of quotes, Mr. Speaker. Information is the lifeblood of democracy; without adequate access to key information about government policies and programs, citizens and parliamentarians cannot make informed decisions, and incompetent or corrupt governments can be hidden under a cloak of secrecy: that was by our Prime Minister, Stephen Harper.

I'll also quote:

- The right of access to information is precious. No government should ever oppose it or impede it on the basis that it is too expensive, too time consuming or only the "trouble-makers" use it.
- Accountable governments are better governments.

That was spoken by Frank Work, the former Alberta Privacy Commissioner.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

I recognize the Member for Lesser Slave Lake.

Ms Calahasen: Thank you, Mr. Speaker. The purpose of Bill 204, the Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014, leaves me scratching my head. The intent is essentially to entitle elected officials to freebies, freebies that allow each and every MLA four free FOIP requests per year. I'm still scratching my head because the opposition have always been such strong proponents of no freebies for MLAs – it doesn't matter where they belong – and are always talking about how they could cost-save and make sure that we balance our budget. I'm still scratching. They seem to be losing that specific value which seems to be very important to us.

3:40

Between fiscal responsibility and gross hypocrisy vis-à-vis certain buzzwords such as "entitlement" and "bureaucracy" I really am at a loss as to where I should begin, Mr. Speaker. First, I

would like to remind members in this House that responses to FOIP requests do not materialize out of thin air. I would like to think that the members opposite know this, but they do not seem to appreciate the full extent of resources, manpower, and tax dollars that are consumed in fulfilling these requests to the high standards we rightly expect. Completing FOIP requests can potentially cost thousands of dollars, not to mention the work hours that must be allocated. Entire warehouses of enormous filing cabinets bursting with documents must often be sifted through.

As the hon. Member for Lac La Biche-St. Paul-Two Hills has even said himself, it is often the case that nothing noteworthy comes of these requests anyway. So why Bill 204? It does not take a degree in economics to piece together that this is time and money that would be better spent on something that does yield results as opposed to contrived outrage, things such as to increase dollars for FCSS, to buy my hospital helipad or my road to Peerless/Trout Lake.

Given that the beneficiaries of four freebie FOIP requests would be MLAs, I simply cannot believe that this bill amounts to anything more than corporate welfare or, dare I say it, Mr. Speaker, entitlement. Curious indeed coming from the members opposite, who make a habit of sermonizing about entitlements for those who don't need it. I may not have a PhD in logic, but I know contradiction when I see it, and so do Alberta taxpayers. The members opposite should give more credit to Albertans. You can't complain about dollar spending and then start asking for free dollars for yourself. Albertans certainly can scratch their heads here, too.

The point that brings some concern to me is that partisanship may be playing a part in this request although I hope not. Not long ago the county of Stettler was unfairly targeted by what many would deem to be a witch hunt that borders on the McCarthy-esque. Rather than being approached as equals and as fellow nonpartisan officials of the people of Alberta, council members were subjected to an aggressive and confrontational assault on their integrity. Members opposite heavy-handedly resorted to FOIPing the information they wanted, convinced that political activities were being conducted on council time. For the members opposite, Mr. Speaker, council members may have had sympathies that lay with a party that is not the Official Opposition.

Obviously, we all need to stress that political activities should not be funded on the public's time, but predictably this was not the case at all in the county of Stettler. These are people of integrity who – surprise, surprise – were completely innocent of what their accuser tried to intimidate them for. I am sure these individuals would have gladly provided all of the information requested of them had they been approached in the spirit of goodwill and civility and probably at very little or no cost. Indeed, they have even been recorded as saying exactly this.

This indicates a very troubling pattern, Mr. Speaker. It represents a prioritization of partisan drama over public policy discussion. It represents a brand of lowest common denominator politics, and we should want no part of it. I believe it has no place in our province.

I fear that Bill 204 threatens to drag a style of crass partisanship into the realm of FOIP. I do not want that FOIP process politicized because it would undermine the very legitimacy of that process. FOIP should be fair, transparent, and accountable to all citizens of this province. In fact, Mr. Speaker, we should continue to have the gold standard but even more so, I would say, a platinum standard. When requests are being used in order to obtain politically expedient ammunition such as in the county of Stettler, that's a problem.

I am a strong supporter of getting information to those who need it. I am also a strong believer that FOIP can do this. As much as I love – or I should say: I like – the Member for Cypress-Medicine Hat and as much as I support FOIP for good reasons, not for witch hunts, I cannot in good conscience support Bill 204 because of the price attached to something like this for taxpayers and all Albertans and the fact that the dollars can be better used in projects I named earlier. I believe that we can do great things if we do it right.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

I recognize the Member for Rimbey-Rocky Mountain House-Sundre.

Mr. Anglin: Thank you, Mr. Speaker. It's an amazing thing to hear the members of this PC government talk about saving money. My God, I like it. You should applaud yourselves. Unfortunately, the money that we receive to FOIP this government, that tries to keep information secret, goes right back into general revenue. I don't know how they come across with this waste of money. The fact is that we have real problems with our FOIP process, and it's a phony gold standard that even the government side of this House mocks when the member gets up and actually calls it a gold standard. It's pathetic. We rate as one of the worst provinces in all of Canada when dealing with FOIP. That's terrible. That's absolutely terrible. We come in at number 12. Holy cow. Can you imagine that? That's the gold standard they measure themselves by.

I will tell you in all seriousness, Mr. Speaker, that the town of Sundre, the doctors in Sundre who are trying to fund privately the helipad for the hospital down there have to FOIP the information because the government won't release the details so they can actually build the proper helipad. How insane. This would save the government money if they could only get the dimensions and the engineering drawings so they could actually fund it and build it with private funds. This government won't release the information so they can do it.

It's a good thing that these PC MLAs want to prevent FOIP from going through although the Member for Banff-Cochrane – I have no idea where he comes up with confidential or private information being released. That's the damned law in the first place. [interjections] I withdraw the word.

Now, dealing with the importance of FOIP, I mean, the whole idea of children dying while in the custody of this government would never have been revealed unless we went through an entire process of FOIPing this government.

I will tell you this, Member for Banff-Cochrane, who keeps pointing, and the member for – all of them. Whatever. The idea of taxpayers' dollars going to PC fundraisers is fundamentally wrong. That should never happen. That's what we discovered in FOIP. That's concrete, cogent evidence. That's not frivolous. That should be criminal, and people are getting away with it. They only started stopping that when we started exposing that. Taxpayers' dollars should not go to any party. They don't go to the NDP, they don't go to the Liberals, and they don't go to the Wildrose. Why should this PC Party get taxpayers' dollars because people are misusing their expense accounts? They shouldn't. So there you go.

Let's be real. They're embarrassed. They don't like FOIP. Otherwise, we would never have gotten to the bottom of the misspending on the use of government planes. I'm sorry, but that actually cost you a Premier. You don't like it, and I understand why you don't like it.

You don't like the fact that the people of this taxpaying province found out that you were building an apartment in an office building of the gold standard. That made them pretty upset. We would never have found out about it unless we FOIPed it. How could the cabinet have told us about it? They said that they didn't know. So we had to FOIP it to find out who knew. But this idea that every time we ask for information it costs thousands of dollars is bogus, and it's false. Sometimes we ask for one piece of information that only requires somebody to go to the filing cabinet and pull it out, information that should be in the public sphere to begin with, and this government does everything it tries to do to prevent that information from coming forward so they don't get embarrassed.

All we're asking for are two passes per MLA so that at least they can do some things. I tell you that from this bill that is proposed, we could go out into the public, and people who are doing FOIPs in the public can actually FOIP public information in the public interest without cost. This is information that should have been readily available in the first place, and this government has done everything to prevent it from going out there.

3:50

The arguments that this government party has been making, that somehow this is irresponsible or that it's a witch hunt – I'm sorry, but this FOIP has done one thing and one thing only. It has exposed this government for a tremendous amount of misspending. It has exposed this government for irresponsibility. I understand why they don't like it. They can vote against it, which they will, but the fact is that the public has a right to information, and that's all we're asking for when we file a FOIP. The information that we are asking for is information they are entitled by law to have. We're asking for nothing more than that. This whole idea that we're giving out confidential information: maybe somebody should read the FOIP Act before they make such statements or accuse some other members of being frivolous. There's no such thing as getting confidential information or any information that violates the FOIP Act. It's just not done.

But I will tell you this. When I actually had the chance to do a little bit of FOIP information, lo and behold, I stumbled upon that there were private investigators hired by this government to follow citizens around during a hearing process. [interjections] Oh, they don't like that one, Mr. Speaker. They don't like that one at all. Boy, did the government backtrack on that one and hide. That's what happens all the time. They do this.

This idea that it's frivolous – I will tell you what is just a tragedy. You can hide information, and then what happens is that it starts to, I think, snowball. I do not believe that any member on the other side intentionally wants to do harm or intentionally wants to violate the law or intentionally wants to be disrespectful of the taxpayers. The problem is that when there's no accountability, what you get is people going off the deep end, a government going off the deep end, doing things like hiring private investigators to follow citizens around in a hearing process, building apartments up in a renovated government building, using government planes for PC Party business, and then using taxpayers' dollars to fund a PC Party fundraiser. Those are all fundamentally wrong, and those we proved all through the FOIP process, yet these members here want to claim that that's somehow frivolous. Maybe they should claim that they think it's their right to do that. But it's not their right. That's why they're so low in the polls today. They don't particularly like that, and I can understand them being angry about that.

When we deal with these issues that are of significant impact on the public interest, things like the whole electricity issue, we can't

get information unless we FOIP that information. The whole issue of the cost-monitoring committee: we would not have known that all these transmission lines, to the letter every one of them, have more than doubled in cost compared to the original estimates. Nobody has a track record that bad. How can that possibly be? Why can't they get the estimated costs even remotely correct? One or two should come out correct. Here we have to deal with information that took years to extract through the FOIP process, and we still have a government that has not reacted to the information to improve the situation. With this, how can that even be deemed frivolous when it can save not just millions but billions of dollars if we can only get the government to act?

We have this situation in many categories, whether it's health care, whether it's dealing with PDD, or whether it's dealing with the expenses from municipalities that would use taxpayers' dollars in a campaign to help one particular party. All of that is fundamentally wrong. When we expose this, it forces the government to act and deal with it. Otherwise, they get to play this game of denial, head in the sand: "We won't act on it. We don't have to act on it." It seems this government only acts when it's embarrassed.

What happens in the FOIP process? They take a Deputy Premier, who says: give us all that information before you release it, legal information that should be released, so they can vet it before they release it to the public so that they're not embarrassed.

We have a bill that's coming forward here. All it says is that we have a right to the FOIP process, and we're asking for two freebies, two passes, so that we don't have to spend taxpayers' dollars. [interjections] Now, let's talk about the freebies because I like the heckling that goes on. The money that we are allocated in this caucus that we apply to FOIPs goes right back into the general coffers, the general revenue, of this government. It goes nowhere else unless someone over there is willing to step up and say that you're putting it in your own pockets. I don't think so. It's going right into general revenue. It comes right out of tax dollars, comes over to this side, and goes right back to you.

We want the information you should have given to us in the first place. I don't understand where you're coming off on this: it's costing millions and millions of dollars. Sometimes we have to just go out and ask for one sheet of paper, as I stated earlier. That's all we're asking for, and it takes months to get it because this government does not want to release it. That's a tragedy. That is something that I think this government has to stop doing, and that can still occur even with this . . .

The Deputy Speaker: Thank you, hon. member. The time has expired.

There's no 29(2)(a).

I'll recognize the next speaker, the hon. Associate Minister of Seniors.

Mr. Quest: Well, thank you, Mr. Speaker. It's an honour today to speak to Bill 204, the Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014, brought forward by the hon. Member for Cypress-Medicine Hat. Bill 204 proposes to provide all Members of the Legislative Assembly with four freedom of information and protection of privacy, or FOIP, requests a year, to be overseen and approved by the Privacy Commissioner.

As my fellow hon. members have already mentioned, the FOIP Act was introduced in Alberta in 1994 following an extensive public consultation process by an all-party panel. The act we abide by today reflects the recommendations of the all-party panel as well as the input of Albertans. Mr. Speaker, this legislation is very

much the cornerstone of an open, accessible, accountable government for the people of Alberta. Openness, accessibility, and accountability are three principles that this government prides itself on.

[Mrs. Jablonski in the chair]

In the last year the government of Alberta has made tremendous progress in the programs, services, and information provided to Albertans. We implemented whistle-blower protections and expense disclosure requirements, the most stringent in the country. We committed to the proactive and routine release of information through salary and severance disclosure policy. Madam Speaker, this policy, as the Member for Lesser Slave Lake said, is the platinum standard and the first in the country, I might add, that builds upon our province's history of open disclosure and current availability for MLAs, deputy ministers, and senior executives through each ministry's annual reports.

However, the sponsor of this bill is proposing to take advantage of and infringe upon the openness and transparency solely for partisan means. As it stands, the FOIP Act provides for a formal method of requesting information held by public bodies which is not available by other channels. These public bodies include the government of Alberta, school jurisdictions, municipalities, Métis settlements, postsecondary institutions, drainage districts, irrigation districts, public libraries, housing management bodies, police services, police commissions, and health care bodies.

Madam Speaker, today I'd like to highlight the five fundamental principles upon which this important act is based. These five fundamental principles, I would argue, will be compromised by the proposed Bill 204. The first principle on which the FOIP Act is based is to allow any person a right of access to the records in custody or control of a public body, subject only to limited and specific exceptions. This principle allows any person to access records, whether that be e-mails, correspondence, or government documents. The opposition, however, has often used this principle to benefit politically. If the opposition were really looking for valuable government information, wouldn't it be easier and less costly for them to just ask the ministers or their offices for that information? You just have to ask.

This fundamental principle is undermined by the opposition in their quest to mine out information for personal attacks against members of this government. Moreover, this abuse of taxpayer dollars for personal means is not something, certainly, that most of us can support. In the last fiscal year the government of Alberta noticed a significant increase in the volume of general requests received. There was a 463 per cent increase . . .

Mr. Rodney: How much?

Mr. Quest: . . . a 463 per cent increase, hon. minister, for general information from elected officials, 463 per cent up from the previous year, 2012-13.

Given that opposition MLAs are protected under the FOIP Act, it's safe to say that this increase may be due to the sheer volume of requests from opposition MLAs and not from members of government, the caucus, or the public. That would be just too much of a coincidence.

4:00

Madam Speaker, the second principle is founded to control the manner in which a public body may collect personal information from individuals, to control the use that the public body may make of that information, and further to control the disclosure by a

public body of that information. Providing MLAs with the ability to conduct four free – and they're not free. They are at the taxpayers' expense. I know Rimbey-Rocky Mountain House-Sundre said that it goes right back into general revenue. Well, of course it doesn't. It goes into general revenue, but there's a significant expense. There are significant administrative costs to doing all this. So no, it just doesn't go out of one place and into another. Having spent 20 years in business, I fully understand the costs of doing business, and there's a significant cost to this service. It does not just go out of one pocket and come back into another. So having these four free – and nothing is free – FOIP requests annually would have substantial impacts on the growing volume and costs of FOIP requests to the government of Alberta.

The third principle upon which the act is based is to allow individuals the right of access to information about themselves which is held by a public body subject only to limited and specific exceptions. In the last fiscal year, Madam Speaker, the government of Alberta spent approximately \$6 million on responses to over 4,200 access requests made under the FOIP Act. So that's \$6 million that could have been used for a lot of other things. I think, for example, that maybe seniors' support in this case would have been probably a much better place for the \$6 million rather than wasting it on higher administrative costs for all the people that may have had to have been hired to deal with this. So I think that would have been a much better use of the \$6 million.

The member alleges that filling out FOIP requests is part of doing their work as an elected official, a Member of the Legislative Assembly. During the introduction of Bill 204 he said, "I was amazed to discover after being first elected that the costs and waiting times for reimbursement for doing our work were actually slowing us down." Interesting. Madam Speaker, as elected officials it's not our primary purpose to fill out information requests or dig up sensitive information for purely partisan purposes. Time spent completing these requests will surely detract from why we're all here, which is to serve Albertans and advocate on their behalf, not just for political motivations.

Madam Speaker, the fourth principle allows individuals the right of access to information about themselves which is held by a public body. If an MLA wishes to exercise this principle in order to find information about himself or herself using taxpayer funds via free information requests – and, again, they're not free – as proposed by Bill 204, this actually could even be construed as being unethical.

The fifth and final principle upon which the FOIP Act is based is to provide for independent review of decisions made by a public body under this legislation. Madam Speaker, Bill 204 would provide Members of the Legislative Assembly with four free – I hate using this word – freedom of information requests per year. They're not free. The \$6 million is a direct cost to taxpayers. Six million dollars. Although this member alleges that many of their FOIPs are completed on behalf of Albertans, nonprofits, and organizations, FOIPs are used by their party for ideological purposes. These members have every opportunity to gather information on behalf of these organizations they claim to be advocating for by meeting with government officials to attain it.

Madam Speaker, I think this highlights the opposition's extreme lack of intergovernmental diplomacy. I would like to highlight how this amendment of the FOIP Act could only stand to benefit one small group of elected officials. I would argue that it is part of our job as legislators, elected officials, and advocates for our communities to bridge working relationships with our stakeholders and other public bodies and not FOIP them unnecessarily. Let us not forget that we are elected to serve

Albertans, to engage in policy discussions that benefit all Albertans. This constant dredging of information for partisan purposes simply undermines the very integrity and principles of the FOIP process. It's not what it was set up for. As an elected official in this province I find it embarrassing that the opposition resorts to submitting frivolous FOIP requests, and that's become their primary legislative tool. We need to get back to business.

I also find it appalling that this party would seek to legislate special treatment for members of the Assembly. Why doesn't everybody get them for free? It's just a few million dollars. After all, if Bill 204 is calling for MLAs to receive free – and it's not free; \$6 million to the taxpayer – information requests while the public would still be subject to assessment or being assessed full fees doesn't sound fair to me, Madam Speaker, coming from an opposition that preaches fairness on a day-to-day basis. I think it's rather contradictory.

This bill's interests are in direct conflict with the fundamental purpose and intention of the FOIP Act's basic principles. This government is committed to building a stronger Alberta for today and in the future, one that fosters an environment of openness, accountability, and transparency. Madam Speaker, let's just get back to the FOIP Act being what it was originally intended to be.

I will not be supporting this bill.

The Acting Speaker: Thank you, hon. member.

The Member for Drumheller-Stettler.

Mr. Strankman: Thanks, Madam Speaker. It's a pleasure to rise to speak to this, seeing that there's been some comment regarding my constituency by previous members. I have a prepared statement, and I'll read it and ad lib as I'm able to.

I want to start with comments about former Prime Minister Pierre Elliott Trudeau, who I believe was the worst Prime Minister in Alberta's history. The one thing he did good, though, was to bring in access to information, even though he was too chicken to apply it to his own badly run, deficit-laden government.

Speaking of badly run, deficit-laden governments, this PC government just recently was found to interfere in the freedom of information process by being part of a process months before freedom of information documents were released. There is no reason the politician should know about the files until they are about to go out. Adequately preparing for documents about to go out is acceptable. What isn't acceptable is being part of a document process and knowing months before the file becomes public just what leads to interference, which leads me to my colleague's private member's Bill 204.

What former Liberal staffers like our Justice minister do not understand is that when opposition members ask for information, they're not doing it frivolously, nor are they trying to waste money, as they would suggest we and the general public are doing to hold governments like that tired, inept government to account. When we ask for public records, as is our right, and the PC government ministers turn around and apply fees larger than our entire opposition research budget, we are prevented from doing our job of holding this government to account.

So to fix an undemocratic PC government problem, my colleague brought forward a very reasonable piece of legislation that would allow each MLA in this Legislature to make fee-waived freedom of information requests. To be precise, Madam Speaker, each MLA would have four fee-waived public information requests. These waivers would only take place when the MLA determines the fees are excessive and writes to the Privacy Commissioner to apply for that waiver. As long as the request is not frivolous, vexatious, or without merit, the waiver

would apply. This is simple, reasonable, and, best of all, unlike this government, it is transparent. I fully expect this former Liberal staffer Justice minister and his band of antidemocratic PC ministers, including the minister accountable for accountability, transparency and transformation, to oppose anything that reflects this transparency.

Madam Speaker, you see, 250 years ago Sweden was the first country to adopt freedom of information, the idea being 250 years ago, then and now, that there can be no freedom of the press apart from free access to information, that any governing party such as the one represented by the hon. members opposite that would want to impede or restrict public access to information about government or government performance begs – and I publicly ask you in this Chamber – the question why. This is an issue of freedom of information legislation for our province. Rich in this tradition, this legislation has been brought to our province, to other provinces, to free nations, and to free societies all over the world.

4:10

Why are the members opposite lashing out at the legislative provisions that provide the press and individual Albertans with the very means necessary to ensure accountability? This is more of the PC attitude of entitlement we have all come to know and understand so well, Madam Speaker. What makes these members think that their government should be entitled to operate in secrecy? What scandals or embarrassing revelations are they hiding? Only people who have things to hide are sensitive. That would make these members cling to secrecy while lashing out at those in this Legislature who are calling for measures of accountability and transparency.

All the PCs are talking about right now is cost. The MLA for Banff-Cochrane talked about freebies. He talks about the costs and, therefore, advocates for hiding information. He talks about fishing, but that member just proves that those asking for information are not protected since he knows who made that request. The members for Banff-Cochrane and Lesser Slave Lake need to be completely aware of their parliamentary prerogative in this Chamber. They are protected by parliamentary prerogative in this Chamber, and they are not without, so they would be well advised of the exact wording of the legislation even to those that release the information, as was released in the county of Stettler, which may at one point be deemed to be illegal. These members have ensured that I will be writing to the Privacy Commissioner about their behaviour.

The Member for Banff-Cochrane should be ashamed of himself, and he should be ashamed that he is defending an undemocratic attitude. It is understandable because he is as much of a Liberal as the former Liberal staffer. He talks about witch hunts. This is ridiculous. We believe there is a cost to freedom and there is a need to show the corrupt attitude of members like the one from Banff-Cochrane and even possibly my friend from Lesser Slave Lake, my acquaintance, and the PC cronies.

Therefore, I would urge all members to vote for freedom and direct accountability within this Chamber and within the government of this province of Alberta. Thank you.

The Acting Speaker: Thank you.

The hon. Member for Dunvegan-Central Peace-Notley, followed by Little Bow.

Mr. Goudreau: Thank you, Madam Speaker. I rise today as well to speak to Bill 204, brought forward by the Member for Cypress-Medicine Hat. The bill is entitled the Freedom of Information and

Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014, and is proposing that all members of the Legislative Assembly receive four free freedom of information and privacy, or FOIP, requests per year. These requests would be overseen by and approved by the Information and Privacy Commissioner.

Under section 93(1) of the FOIP Act public bodies can require applicants to pay for specified services, and even though the act's fee provisions prohibit public bodies from charging for all services, they do require applicants to provide a portion of the cost of providing information. However, there are exceptions to this rule.

[The Deputy Speaker in the chair]

Section 93(4) of the FOIP Act allows the head of a public body to excuse an applicant from paying all or a portion of the fee if the applicant is unable to pay. FOIP fees are not particularly burdensome and consist of a \$25 dollar initial fee for a one-time request, a \$50 initial fee for continuing requests, and fees in addition to the initial fee where the costs of processing requests for records exceed \$150.

Given the current legislation and fees in place I don't see a need for Bill 204. However, I would like to spend a portion of my time detailing the history of the FOIP Act and how it protects privacy. The FOIP Act was introduced here in the Alberta Legislature in the spring of 1994 after extensive public consultation by an all-party panel. The act, which reflected the recommendations of the all-party panel and the input of Albertans, is seen as the cornerstone of an open, accessible, and accountable government for the people of Alberta. The act was amended in 1999 in response to a review by a select special committee of the Legislative Assembly, and a further review by a select special committee was completed in 2002 – and I was here, Mr. Speaker – which led to the amendment of the act in May of 2003.

In terms of privacy security the FOIP Act guarantees the protection of information privacy such as the right to exercise control over your own personal information by establishing rules for the collection, use, disclosure, and retention of personal information. The act also contains rules regarding the accuracy of personal information and gives individuals the right to request a correction to their personal information in the custody or control of a public body.

In part 1 of the act individuals are provided with a right of access to information, including information about themselves, from public bodies subject to limited and specific exemptions. One example of those exemptions, outlined in section 17, is the criteria to determine when the disclosure of personal information would be an unreasonable invasion of a third party's privacy.

Privacy is protected in the FOIP Act in several ways, including, one, giving individuals a right of access to their own personal information and the opportunity to request corrections to it; two, limiting a public body's use and disclosure of personal information to the purpose for which it was collected, a consistent purpose, another purpose with consent, or a purpose set out in the act; three, requiring public bodies to retain information used to make decisions affecting an individual for at least one year unless the public body and the individual agree otherwise, to allow adequate time for the individual to exercise their right of access or correction if they choose to; four, collecting personal information only as authorized by law; and, five, requiring public bodies to take reasonable security precautions against such risks as unauthorized access, collection, use, disclosure, or destruction.

The protection of privacy is similar in various jurisdictions across Canada as FOIP acts are common in every provincial jurisdiction.

Another similarity between provincial jurisdictions is the fact that none of them allow FOIP fee waivers for provincial politicians. I want to repeat that, Mr. Speaker. None of them allow FOIP fee waivers for provincial politicians. In Ontario, for example, section 57(4) states that

A head shall waive the payment of all or any part of an amount required to be paid . . . after considering . . .

(b) whether the payment will cause a financial hardship for the person.

Ontario does not waive fees for its MPPs, or Members of Provincial Parliament, unless the information will benefit public health and safety.

In Prince Edward Island the FOIP Act and its general regulations don't exempt members of their Legislative Assembly from waiving fees. Similar to Alberta and Ontario, the head of a public body in P.E.I. may excuse an applicant from paying part or all of a fee if the applicant cannot afford to pay or if the record relates to the public interest such as the environment or public health.

Again in British Columbia there's no provision that gives MLAs FOIP fee waivers or a given yearly allotment of FOIPs. Section 75(5) of the B.C. FOIP Act allows for fee waivers if the applicant cannot afford payment or if the record relates to matters of public interest.

Mr. Speaker, the fact that no other jurisdiction in Canada allows MLAs any free FOIP requests should help to illustrate to the Member for Cypress-Medicine Hat and his party that this bill is unnecessary. Given the way the Official Opposition has utilized their FOIP requests in the past, allowing them or any MLA four free requests is an avenue that I don't think we should be pursuing. The case, as was mentioned earlier – and again I'll repeat it – involves the county of Stettler receiving a FOIP request from the Wildrose Party because they thought that one of the county's administrative employees was violating the Elections Alberta laws. While the county of Stettler was vindicated by Elections Alberta in 2012, when the organization ruled that it did not violate financial bylaws, the incident illustrates that FOIPs could be used as a tool of some aggressiveness.

All levels of government should be treated as equals and, more importantly, with respect. Where there is a need for information, those involved should work to resolve this issue as diplomatically as possible.

4:20

I would like to thank the Member for Cypress-Medicine Hat for bringing forward Bill 204, but I cannot in good conscience support this proposal. As I mentioned earlier, no other jurisdiction in the country, whether it's Ontario, B.C., or Prince Edward Island, allows for FOIP fees to be waived for MLAs, and I don't believe Alberta should be the first to take such a plunge. Albertans need to be confident that their elected officials focus on policy issues that matter to them rather than perks such as free FOIP requests.

Every Albertan is expected to follow the necessary steps when requesting a FOIP, and that means paying the fee regardless of who you are. Mr. Speaker, Albertans don't like their politicians to be entitled, and Bill 204 is part of this entitlement. Albertans also expect their elected officials from the municipal and provincial levels of government to work together in a nonconfrontational manner.

I hope all members of this Assembly will rise today and join me in voting against Bill 204. Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

I recognize the Member for Little Bow, followed by Fort Saskatchewan-Vegreville.

Mr. Donovan: Thank you, Mr. Speaker. It's been a very interesting conversation this afternoon. I'm rising to support Bill 204, Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014. I just want to go over some of the numbers that we went over today, that I've heard from some of the colleagues on the government side.

I get that talking points can always be great, and we're pretty creative with numbers as we need to be, but at \$8,000, which I believe the Member for Banff-Cochrane said, for each one as an average cost to do a FOIP, if that's correct – could I get a nod? Could be. Anyhow, if you get four of them, that would be \$32,000 per MLA. So if we all take our calculators and multiply that out, 87 times \$32,000 is \$2,784,000. But I believe the Associate Minister of Seniors, from Strathcona-Sherwood Park, says that all his members have to do is to ask the minister.

If you do that, then we could take some simple math off the big numbers. So we take the big number, which is \$2.7 million, and take off all the members from the government side, that wouldn't have to ask for FOIPs. That takes you back to 17 in the Official Opposition, five in the Liberals, four in the NDP, and there are three there – where did they come from? Oh, yeah, from your side; they jumped ship. So there are three there. That works out to \$800,000. So you can take the \$2.7 million that we're using as a talking number, and you knock off of that one the \$800,000. That's kind of what it's going to cost if you actually use the numbers.

I have a hard time believing it costs \$8,000 to do a FOIP. I'm not a bookkeeper by any stretch of the imagination, and judging by the polls, neither are you guys.

I get the whole concept of how it goes, of how everybody is a little concerned about what comes up in the information and everything else, but I think that if we actually look at the bill, you can see that there are many nonprofits and citizens that can't afford the FOIP requests. Yet we're all taxpayers. We should be able to look into the information and find out: is it true, or is it not true?

Those are the challenges, I guess, that I have as an MLA. When you're asked to do something and you want to look into it and you want to get the facts, you should be able to ask through the freedom of information act. The government brought this bill in themselves in 1994, as the Member for Dunvegan-Central Peace-Notley brought up. It was brought on by this government in the mid-90s because it was something that was needed. So to say that we're going to waive the numbers for four per MLA I don't think is really that far out.

In all honesty, I mean, the number of \$2.7 million that the Member for Banff-Cochrane brought up to use for a total number I think is fairly fictitious. I mean it sells great. Ooh, look at the big number there. But, really, at the end of the day, maximum, if we did use his numbers – and I'm not saying that they are correct or aren't, but I'm saying that they seem a little high – you'd be at \$800,000.

Now, the point is about how the FOIPs have been working. My colleague from Innisfail-Sylvan Lake is going to probably bring up some points about kids in care and stuff like that and the ongoing fight that a lot of journalists had with the government to try to get the FOIP information. The point is that if we're not hiding anything, it shouldn't be that big of a deal to let the information out. I mean, it's a pretty simple process, I think. I don't see where the big backlash is against not-for-profits, stuff

like that. MLAs should be trusted to work on behalf of their constituents, which I think all 87 of us in here do. I don't think there's a person in here that comes to work and doesn't plan to work for their constituents. I think we all come here with plans to do that. I think we should be able to get the information we need.

In all honesty, we talk about saving money, and I love the talking points of what it could buy: a helipad here, a dialysis machine there.

Mr. Rodney: You guys do that all the time.

Mr. Donovan: Hey, I agree, and I'm glad you're using our talking points now. It's great to have the Associate Minister of Wellness, from Calgary-Lougheed, start using our talking points. It's just nice to see that everybody is starting to listen in here a little bit.

The point is, though, that if we want to talk about saving money, I mean, it's pretty fictitious to say that we're going to save, you know, from \$2.7 million to \$800,000 and that that's going to be the tipping point that saves this province. Woo-hoo. You guys are lost on this one. I hate to tell you that the tipping point is when all the constituents, all the ratepayers in this province have sat there and seen the millions of dollars that have been blown into the wind. This is how you're going to save the government? Great job, you guys. I love it.

I guess the point that baffles me in the whole thing is that through FOIP probably a lot of the things that have cost – and not that I believe all of the polls, but so far it's cost one Premier their job in here. FOIP has put the information out there so that the public can see what actually goes on in here and where the money is being spent. We talk about saving money. The ministers – put up your hand if you're not a minister – are 50 per cent. I mean, really. To the Member for Calgary-Mackay-Nose Hill: I don't even know why they haven't put you in as a minister. You have so much to offer to them.

The point is that you have so many ministerial spots, and those all cost money to run when you're an associate minister or a minister. I found the sheet here from before the last election. We didn't have two rows of ministers coloured in the dark colours here.

You talk to people that used to be ministers or past MLAs. There used to be about three to four employees in a minister's office. Now, I believe – but don't quote me – that if you're an associate minister you only get two. Yes, that is correct for associate wellness and associate seniors, but the big boys and girls in the front row, that have minister jobs, have seven or eight assistants in there and spin doctors to help you guys figure out how some of the numbers work in here some days.

If you want to save some money, maybe tone down the size of the cabinet, and if you were one of the two people that didn't get a cabinet position, reassess what you did wrong. With your colleagues you flip a coin. Heads, you're a minister; tails, you're not. What happened? Why didn't you? Do you want to save some money? Tighten this up a little bit. Sorry. You know, there are some great members that sit on this side. Edmonton-South West, you are probably one of the best MLAs, and you even pondered coming over here full-time and hanging out with the table of three in the back.

If we want to save money, let's do that stuff, but if you really truly think that that's your talking point, how we're saving money on Bill 204, pull your head out, you guys. You're suffocating. I'm just challenging you out here. Let's tighten up where the money is. If you think this is what's going to sink you, the \$800,000, if it possibly costs that – I'm still not quite sure those numbers from Banff-Cochrane are right, but I'm not here to argue the point with

him. It's \$8,000 a cheque, and there are four of them. That's \$32,000. It's you think this is the \$800,000 that's going to save your ship, keep paddling.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

The hon. Member for Fort Saskatchewan-Vegreville.

Ms Fenske: Thank you, Mr. Speaker. I would like to just mention to the Member for Little Bow that an average doesn't mean that that's the cost of each and every individual one. If we look at the highest ones – and I'm sure that those would be the ones that would be referenced for the four free FOIPs – I think we could see a substantial difference in the amount.

Anyway, Mr. Speaker, I am honoured to rise today to speak to Bill 204, the Freedom of Information and Protection of Privacy (MLA Public Interest Fee Waiver) Amendment Act, 2014, which has been brought forward by the hon. Member for Cypress-Medicine Hat. The FOIP process can be a very important tool in ensuring transparency. I think we all agree. I would hope that the hon. member would look at some changes to his bill because without some fences around his request, I fear that the coffee shop talk that I've heard might actually have some legs and could possibly have happened and could possibly continue to take place. That is, I cannot imagine that members would FOIP themselves, let alone be allowed to charge that to taxpayers. I think you've got to have, as I said, some fences around what you're asking for.

4:30

The purpose of Bill 204 is to provide all Members of the Legislative Assembly with four free freedom of information and privacy, or FOIP, requests per year, which would be overseen and approved by the Information and Privacy Commissioner. Well, that would probably be, as I mentioned earlier, the FOIPs that are not the least costly but the most costly.

The FOIP Act provides a formal method of requesting information held by public bodies which is not available by other means. It cannot be used to replace research that is readily available, that just takes a little footwork and elbow grease to find out, another fence that needs to be built. The term "public body" refers to bodies such as the government of Alberta, school jurisdictions, municipalities, public libraries, Métis settlements, police services, and various others.

Alberta's FOIP Act, as said earlier, was introduced in the Alberta Legislature in the spring of 1994 following an extensive public consultation process by an all-party panel. The act, which reflected the recommendations of that all-party panel and the input of Albertans, is seen as the cornerstone of an open and accessible and accountable government for the people of Alberta. Mr. Speaker, the FOIP process currently in place is more than sufficient, fair, and appropriate, addressing the needs of all Albertans.

Frankly, if the members opposite don't think that their budget is large enough to accommodate what it is that they're working on, there is a process that we follow here, and that is to go through Members' Services with a budget request. That, to me, is fair for everyone.

Today, though, I will speak to the details of administering a FOIP, outlining how much time and effort are utilized throughout this particular process. Firstly, the FOIP Act provides individuals with the right to request access to information in the custody or control of public bodies while providing those public bodies with a framework by which they must conduct the collection, use, and disclosure of personal information. Administering FOIPs is no

small task, nor is it an inexpensive one for the parties involved in gathering the needed and relevant information sources.

The process begins by submitting a FOIP request, that is received by the FOIP office, thereby giving the government 30 days to respond. In addition to providing access to records and information in response to FOIP requests, public bodies must provide access to information and records through two other processes, routine disclosure in response to inquiries and requests for information and active dissemination of information.

There are members in this Assembly that have been involved in municipal government. You know, we've heard today that there are municipalities that have been FOIPed. I think that when you've sat in municipal government and you've seen how hard some of those small administrative groups have to work to collect this information, it is no small task.

Mr. Speaker, routine disclosure and active dissemination of information will likely satisfy many of the information needs of the members of the public and is highly encouraged so that various FOIP requests can be avoided. Public bodies should bear in mind that the FOIP process is in addition to and does not replace existing procedures for access to information where that disclosure would not otherwise be prohibited by the FOIP Act. There are numerous advantages to using routine disclosure and active dissemination processes, one being that the public will be better served and more informed through the planned and targeted release of information. Making information available regarding routine inquiries and requests by the active dissemination of information can promote cost-effective management of public information resources.

All of this being said, the first step in processing a FOIP request is ensuring that all other available information channels and resources have been properly utilized before further action is taken to access information that may not be readily available to the requestee. Looking back at old records that are available should be the first step. This is very important, Mr. Speaker.

For intergovernmental diplomacy and ensuring that unnecessary costs are not incurred, further requests must be in writing and provide enough detail to enable the public body to identify the record. The applicant will usually use the official request form, that is readily available online, and will pay \$25 for a one-time request or \$50 for a continuing request. The request process is also tailored to fit the needs of people with disabilities or those who cannot speak fluent English. These individuals may submit oral requests, where the public body would then put the oral request into written form and provide the applicant with a copy.

It is stated within the FOIP guidelines and practices manual that public bodies should to the best of their ability assist these individuals seeking records to exercise their rights under regular procedures. The head of a public body must make every reasonable effort to assist applicants and to respond to each applicant openly, accurately, and completely. This is their duty, and it is our duty to ensure it is enforced. After the initial request is made, it will be determined whether the request is for access to general records or for the applicant's own personal information as well as whether or not the request is a continuing request. The request will be clarified with the applicant. A decision will be made regarding the transfer of the request, and acknowledgement will be sent to the applicant.

Clarifying the request may include assisting the applicant in defining the subject of the request, the specific kinds of records of interest, and the time period for which the records are being requested.

Transferring a request may also be possible if the applicant makes a request that would be more appropriately handled by

another public body. This, Mr. Speaker, is determined by the FOIP office. It is expected that all public bodies will perform an adequate search for records, meaning that the search is timely and that every reasonable effort is administered.

Continuing requests refer to requests that are in effect and continue for a specified period of time of up to two years. This permits the applicants to continue to receive records concerning a particular subject or issue at regular intervals.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

I recognize the Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Speaker. It's my pleasure to rise and . . .

The Deputy Speaker: Hon. member, my apologies. It seems we have run out of time for debate on this item.

With that, under Standing Order 8(7)(a)(i) I would offer the sponsor of the motion, the Member for Cypress-Medicine Hat, to close debate on Bill 204.

Mr. Barnes: Thank you, Mr. Speaker. To all the MLAs and the ministers in the House today: I greatly appreciate your time and your input spent discussing my bill and my idea. I do want to talk, though, about a few of the misconceptions and a few of the fears and try to go in some direction to clear those up.

First of all, it was said a lot: members opposite. The bill wasn't intended just for the opposition. The bill wasn't intended just for the Wildrose. The bill was intended for all MLAs. The wish is that for not-for-profit societies, for the 4 million Albertans, that any one of them that from time to time is in a situation where they can't afford to be involved in the FOIP process or don't know the ins and outs could go to their MLA or any of the 87 MLAs and put forward their idea, put forward their need. The wish and the hope is about how much more involved this would make Albertans in our government, in our process, how much more information this would give us all to be involved and do the right thing. I believe and am told continually by Albertans and am told continually by people in Cypress-Medicine Hat that they want and will start to demand a greater part of our democratic process.

It was mentioned that, oh, there was no clarification on unused FOIPs or transferred FOIPs. Could they be transferred? Please don't read anything into that. Four free FOIPs per MLA per year. Use them or don't use them. You can't transfer them. You can't sell them. Bitcoin maybe.

The whole idea was to have Albertans, not-for-profits and people in need of help from the government, come to any one of the 87 of us, express their need, and express their concern. Hopefully, usually it would start with your local MLA, but this would give the opportunity for more information to come forward, for more Albertans to be involved. I mean, in a short, little bill you've got to put things in there, but you can't put everything in there. But if you believe that accountability makes people perform better and if you believe that accountability makes government better, I would ask you to support my bill.

4:40

MLAs are in a unique position. That's the next misconception I want to clear up. We are the number one gatekeeper. We are the number one protector of \$44 billion a year, of 4 million Albertan taxpayers' money. We are expected to get value for this money as much as we can.

My bill had some ways that would go forward to make that happen. When an MLA asked for a free FOIP, the name would be

published, and we would publish the respective public body. It would be open and transparent. It wouldn't be hidden.

Again, with the opportunity for any one of 4 million Albertans to come forward, for any one of the 40,000 to 50,000 people we each represent to come forward to do this, this is not a freebie for MLAs. This is an opportunity. This is an opportunity for Albertans to be engaged further in the political process. Of course, every four years we are a hundred per cent accountable to all of our constituents, to all Albertans. If an MLA abused this privilege, if an MLA abused this ability to help Albertans, obviously his opponent in the election could bring this forward and use this against him.

I kept hearing the word "frivolous," that MLAs could frivolously do this, that we could check ourselves, that we could waste money. To be clear, part of my bill is that the Privacy Commissioner decides if the waiver is to be approved. With the system that's there now, he's the one that decides if it is to be approved.

One of the other things we talked a lot about was the cost. When I talk to Albertans, more than the costs I hear about the time delays, the year and a half it takes to get things, the two years it takes to get things, the uncertainty of knowing if you're going to be able to prove that your request was in the public interest. Part of my bill would expedite this, would make it so that we could get Albertans the information they deserve. And they do deserve it. It's their taxpayer money. Let's not forget that.

I also heard that this is bad politics.

The Deputy Speaker: Thank you, hon. member. The time has elapsed for your concluding speech.

[The voice vote indicated that the motion for second reading lost]

[Several members rose calling for a division. The division bell was rung at 4:43 p.m.]

[Ten minutes having elapsed, the Assembly divided]

[The Deputy Speaker in the chair]

For the motion:

Anderson	Donovan	Rowe
Barnes	Eggen	Swann
Bikman	Kang	Towle
Brown	Pedersen	

Against the motion:

Allen	Griffiths	Olesen
Amery	Horne	Olson
Bhullar	Hughes	Quadri
Calahasen	Jablonski	Quest
Campbell	Jansen	Redford
Casey	Jeneroux	Rodney
Cusanelli	Johnson, L.	Sandhu
Dallas	Khan	Sarich
Dorward	Kubinec	Scott
Drysdale	Lemke	Starke
Fawcett	Leskiw	VanderBurg
Fenske	Luan	Weadick
Fraser	McDonald	Woo-Paw
Fritz	McIver	Xiao
Goudreau	McQueen	Young

Totals: For – 11 Against – 45

[Motion for second reading of Bill 204 lost]

The Deputy Speaker: The hon. Government House Leader.

Mr. Campbell: Yes, Mr. Speaker. Being that there are only about three minutes to go, I would suggest that we call it 5 o'clock and go on to motions.

[Motion carried]

Motions Other than Government Motions

The Deputy Speaker: The hon. Member for Calgary-Mackay-Nose Hill on behalf of the Member for Calgary-Fort.

Public Reporting of Privacy Breaches

505. Dr. Brown moved on behalf of Mr. Cao:

Be it resolved that the Legislative Assembly urge the government to introduce amendments to the Health Information Act and other acts governing freedom of information and protection of privacy that would allow the Information and Privacy Commissioner to release information to relevant ministers' offices and affected parties when a data breach occurs.

Dr. Brown: Thank you, Mr. Speaker. My pleasure to rise today and to open the debate on Motion 505. I'm speaking to the motion on behalf of my colleague the hon. Member for Calgary-Fort, who believes that legislation pertaining to freedom of information and protection of privacy should be amended to ensure that the Information and Privacy Commissioner is able to take the appropriate steps whenever a privacy breach is disclosed.

As hon. members will realize, this motion is in response to an incident that occurred last September but wasn't made public until January of this year. Of course, I'm referring to the Medicentres family health care clinic data breach. On January 22, 2014, Medicentres family health care clinics publicly admitted that one of their laptop computers, containing the personal health information of 620,000 Albertans, had been stolen from an information technology consultant on September 26, 2013.

This information breach could potentially have impacted any individual who had visited a Medicentres clinic within the past two and a half years. To date this privacy breach is considered to be the largest in Alberta's history. Under the Personal Information Protection Act private companies must report to the commissioner any information breach that poses a significant harm to any individual, or the commissioner can compel a company to notify affected individuals.

However, health custodians such as Medicentres clinics are regulated by the Health Information Act, and the Health Information Act, which was passed by the Alberta Legislature in 1999 and came into effect on April 25, 2001, would govern. It provides individuals with the right to request access to health records in the possession of custodians while providing custodians a framework within which they much conduct the collection, use, and disclosure of health information. In the case of the Medicentres data breach, the organization voluntarily informed the Information and Privacy Commissioner's office about the breach and asked for recommendations on how to handle the situation, but it was never required to put any recommendations into practice as the Health Information Act does not force the offending organization to disclose information/privacy breaches.

5:00

Another issue with the Medicentres data breach was the fact that the Information and Privacy Commissioner was in possession of this information as of October 22, 2013, but was unable to

inform the public. Her hands were tied. The commissioner stated that the Health Information Act prohibited her from informing the appropriate parties of the breach, including of even the most general information. Specifically, section 91(1) of the Health Information Act states:

The Commissioner and anyone acting for or under the direction of the Commissioner must not disclose any information obtained in performing their duties, powers and functions under this Act, except as provided in subsections (2) to (5) and section 50.1.

After Medicentres clinics publicly admitted the breach, the Minister of Health called on the Information and Privacy Commissioner's office to launch an investigation. Shortly after the Minister of Health made the request, the Information and Privacy Commissioner announced the commencement of a two-part investigation. The first part would examine the circumstances of the lost or stolen data, and the second part would focus on a broader review of how privacy violations in the health sector are reported. In relation to the second part of the investigation it should be noted that the office of the Information and Privacy Commissioner has been advocating for changes to the Health Information Act similar to the rules that are currently laid out in the Personal Information Protection Act, that would provide the office with the power to force health information custodians to report information breaches to their patients if there is a risk of harm from identity theft.

Mr. Speaker, it's incumbent upon this House to discuss sensible solutions to the largest data breach in Alberta history. We owe it to Albertans to ensure that the Information and Privacy Commissioner is able to swiftly notify affected individuals of data breaches, especially when it concerns health custodians who fall under the Health Information Act. We need to continue to find avenues to strengthen an already strong, independent officer of the Legislature. I believe that Motion 505 is one of those avenues.

To reiterate, the purpose of the motion is to ensure that various pieces of legislation pertaining to freedom of information and protection of privacy are amended to guarantee that the Information and Privacy Commissioner is notified of a privacy breach and that the commissioner is able to release that information to the relevant ministers' offices as well as the parties affected by the breach so that appropriate steps can be taken to protect them from harm.

I would urge all hon. members to support my colleague the hon. Member for Calgary-Fort's Motion 505. I look forward to further debate on the topic. Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Speaker. It is my pleasure to rise and speak to Motion 505 and to also express my support of this motion. I rise today to speak in favour of Motion 505. It is a timely motion, considering recent privacy breaches that have occurred, that could be helpful in prompting legislation to amend the Health Information Act and correct potentially damaging breaches of privacy. I urge all members of the Assembly to support this common-sense motion.

An Hon. Member: Pardon?

Mrs. Towle: Motion 505 would "urge the Government to [amend] . . . the Health Information Act and other Acts governing freedom of information and protection of privacy" to allow the Privacy Commissioner "to release information to relevant

Ministers' Offices and affected parties when a data breach occurs."

It's interesting that across the aisle they sound surprised that we would support this motion when in reality our party has supported many motions brought forward by private members of the opposite side, not to mention many government motions, many government amendments, and many government bills.

This motion in particular, Motion 505, is a common-sense motion that, if implemented in forthcoming legislation, would help to ease the hardships caused when a privacy breach occurs. We've seen how amendments to the Health Information Act are necessary. Recently, as the Member for Calgary-Mackay-Nose Hill had mentioned, a stolen laptop containing the files of 620,000 Albertans alerted us to this very fact. Due to the Health Information Act the Privacy Commissioner could not inform the government or the affected parties. That meant precious time was lost when Albertans could have been taking proactive measures to protect themselves. I believe at the time even the Minister of Health expressed concern over that delay.

Let's think about this for a moment. A stolen laptop victimized 620,000 Albertans and made them vulnerable, and legislation prevented the company from informing the victims. Something is clearly wrong with that picture. The victims and the Privacy Commissioner should be the first to be informed immediately after a breach has occurred. I'm happy to support such a motion like this, that would create an avenue to do just that. In the event of a privacy breach time is vital. It allows people to ensure that they are protected to the fullest extent possible. When Albertans are denied the knowledge that a breach has occurred, the potential damage and victimization intensifies.

The recent Medicentres breach isn't the only privacy breach that has occurred. A CBC investigation found several cases of privacy breaches of home-care clients last summer. In one case files were put on the roof of a car before a client manager drove off. Luckily, the confidential documents were returned by a good Samaritan. In another case a courier delivered confidential care plans to four home-care clients and left the unsealed packages in mailboxes. These kinds of breaches are more and more common than the massive Medicentres breach, but they are no less significant. Any breach of privacy information can be potentially damaging to whom it has occurred, yet under the Health Information Act none of these would have required the custodian of health information to report the breach to the commissioner or to those who have had their privacy breached.

Let's tackle this problem first by passing Motion 505 today, and then let's amend the legislation. It's time to take action to protect Albertans. They should be in the first thought for every action we do, especially in the event of privacy breaches. Albertans and the Privacy Commissioner need to be informed as the first order of business should a breach occur.

I look forward to listening to the comments from other members on this matter, and I urge all members in this House to support Motion 505. Thank you.

The Deputy Speaker: Thank you, hon. member.

I recognize the hon. Member for Calgary-Mountain View, followed by Calgary-Currie.

Dr. Swann: Well, thank you, Mr. Speaker. It's a pleasure for me also to rise and speak in support of Motion 505, the amendment of the Health Information Act for release of data-breach information. I'm sure – it has been well discussed, and certainly it's been in the public domain for a number of months – that this inappropriate failure to require the Information Commissioner to report breaches

of security in the health system has been recognized. A fairly minor change, really, in the act is all that's needed to ensure that not only the individuals whose privacy has been breached but the minister himself get timely access and can start to redress any problems that might be associated with it. It's clearly the responsibility of the minister to be in possession of information such as this, that would compromise individual records, physicians, other health workers, and, potentially, testing results as well as treatment programs.

I don't think anybody who is thoughtful about the health care system and the importance of privacy would have any reservations about seeing this important knowledge come to the attention of the minister and be acted upon in a timely way, so there's no question that we also support this and look forward to its speedy passage in this House.

Thanks, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

The hon. Member for Calgary-Currie.

Ms Cusanelli: Thank you, Mr. Speaker. It's a pleasure for me to rise today to speak to Motion 505, brought forth by my colleague from Calgary-Fort, urging that we amend the Health Information Act and other acts governing freedom of information and protection of privacy. As we've heard, the amendment we speak to today "would allow the Information and Privacy Commissioner to release information to relevant Ministers' Offices and affected parties [if] a data breach occurs," allowing for appropriate steps to be taken. The purpose of imposing such urgency on a matter of personal privacy is so that all Albertans are protected as well as able to take proactive action in addressing privacy breach issues.

Alberta Health was made aware of a privacy breach that impacted 620,000 Albertans after a laptop was stolen at the Medicentres family health care clinic last year. This motion strives to ensure that situations like this are dealt with in a timely manner and that appropriate bodies and impacted persons are informed of the breach as soon as possible so that immediate action can take place. For this to happen, the Privacy Commissioner must be given the authority to release information on privacy breaches to relevant ministries, their offices as well as affected parties.

5:10

Mr. Speaker, as it currently stands, the Health Information Act states in section 91(1):

The Commissioner and anyone acting for or under the direction of the Commissioner must not disclose any information obtained in performing their duties, powers and functions under this Act, except as provided in subsections (2) to (5) and section 50.1.

The Health Information Act provides Albertans with the right to request access to health records in custody or under control of custodians while providing custodians with a framework within which they must conduct the collection, use, and disclosure of health information.

Custodians, Mr. Speaker, are defined as follows: the ministers of the departments of Alberta Health and Wellness, a health service provider designated as a custodian under the health information amendment regulation, pharmacies, regional health authorities, provincial health boards, and nursing home operators. In addition to regulating information access, collection, use, and disclosure practices of custodians, the Health Information Act also covers the actions of affiliates. Affiliates include employees, volunteers, contractors, and agencies under contract to the custodian. Ultimately, custodians are responsible for the information collected, used, and disclosed by their affiliates.

The amendment proposed by Motion 505, as it relates to the Health Information Act, would ensure that when custodians inform the Information and Privacy Commissioner of any privacy breach that affects the public interest, that breach is released to the appropriate ministry offices as well as the parties directly affected by the breach. These amendments are critical for the purpose of allowing timely action in privacy breach situations that may occur in the future.

Mr. Speaker, the next topic I would like to discuss in relation to Motion 505 is the Alberta Personal Information Protection Act, or PIPA. The purpose of PIPA is to govern the means by which private-sector organizations handle personal information. Further, PIPA recognizes both the right of an individual to have his or her personal information protected and the need of organizations to collect, use, or disclose personal information for purposes that are reasonable. PIPA provides individuals the opportunity to request access to their own personal information and includes provisions regarding the correction and care of personal information by organizations.

Section 34.1 of PIPA states that private-sector organizations are required to notify the Information and Privacy Commissioner of breaches dealing with "the loss of or unauthorized access to or disclosure of the personal information" under their control. In cases where there is a significant harm to an individual as result of a breach, the Information and Privacy Commissioner may require organizations to notify impacted persons. Motion 505 would therefore align the Health Information Act with the Personal Information Protection Act, allowing the Privacy Commissioner to disclose any information obtained in performing their duties, including breaches of privacy, that should be disclosed to all affected persons so that appropriate action can be taken.

Mr. Speaker, I support Motion 505 as it aims to strengthen our legislation within the Alberta information act and related acts so that all Albertans are better served by it. I also encourage my hon. colleagues to support this motion.

Thank you.

The Deputy Speaker: Thank you, hon. member.

I'll recognize the Member for Barrhead-Morinville-Westlock.

Ms Kubinec: Thank you, Mr. Speaker. It is an honour for me to rise today to speak to Motion 505, proposed by the hon. Member for Calgary-Fort. This motion calls on the government to amend the Health Information Act as well as other acts that govern freedom of information and protection of privacy. The proposed amendments would allow the Information and Privacy Commissioner to release information to the appropriate departmental offices and any affected parties whenever a breach of data occurs. These amendments propose to facilitate a faster and more efficient means of appropriate data sharing when a breach of privacy occurs.

Before I proceed any further, I would like to take a brief moment to say that I applaud the hon. member for bringing this matter before the House today. Anything that we can do to protect the privacy and personal information of Albertans deserves our serious consideration, and it is clear that the hon. member is well aware of this. I do think that Motion 505 indicates a step in the right direction in this regard.

Now, as we move forward in discussing the intent of Motion 505, I think it would be helpful to consider briefly some of what has been done in other provinces along these lines. Specifically, I would like to take a look at the personal health information acts in Ontario and British Columbia. Ontario's health act sets out rules for the collection, use, and disclosure of personal health

information. Those rules are applicable to every custodian of health information that operates in the province of Ontario, and that also applies to organizations and individuals that receive personal health information from their custodians.

The rules recognize the unique character of personal health information as being one of the most sensitive types of information to collect and store. To complicate matters, it is also a type of information that is frequently shared. This information is shared for a variety of reasons, Mr. Speaker, including for the purposes of medical care and treatment, health research, and logistics of managing a publicly funded health care system.

Ontario's legislation seeks to balance individuals' rights to privacy with the needs of those who provide health care services. There are certain limited exceptions, but generally speaking, the legislation requires that custodians of health information obtain consent before collecting or making use of personal information. It is important to note that all individuals retain the right to access this information. They may also request that a correction be made to the information. This is how matters currently stand in Ontario.

We can weigh this with what we currently find with our neighbours next door in British Columbia. B.C. also has a personal health information access and protection of privacy act that governs the use and disclosure of information. One important component of B.C.'s legislation specifies that the head of a public body must not establish a category of records that contains personal information unless that information would not constitute, if disclosed, an unreasonable invasion of the personal privacy of the individuals to whom the information pertains. Depending on circumstances, one can see how such measures could be useful in protecting the public interest and the well-being of individuals involved in handling and contributing to sensitive and private information.

The point of my remarks, Mr. Speaker, is to give a glimpse of what has been done. It goes to show that there are a variety of ways in which to protect privacy, and this brings us back to Motion 505, which takes into account what should happen when privacy is unfortunately breached. Obviously, this is an eventuality we work hard to avoid; nonetheless, it pays off to be prepared with measures in place in case the system fails.

Mr. Speaker, I am strongly in favour of maintaining this government's strong accountability measures, and I believe that Motion 505 indicates a further step forward in upholding our great track record. I am pleased to say that I stand in support of Motion 505, and I encourage all hon. members to do the same. I also want to reiterate my gratitude to the Member for Calgary-Fort for bringing this matter before the House today.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Are there other speakers to the motion?

Seeing none, I'll invite the Member for Calgary-Mackay-Nose Hill on behalf of the Member for Calgary-Fort to close debate.

Dr. Brown: Thank you very much, Mr. Speaker. On behalf of my colleague from Calgary-Fort I do appreciate the support of the members who have spoken on Motion 505, and I'd encourage all members of the House to support the motion.

Thank you.

The Deputy Speaker: Thank you, hon. member.

[Motion Other than Government Motion 505 carried unanimously]

The Deputy Speaker: Hon. Deputy Government House Leader, did I catch your eye?

Mr. Olson: You're very good, Mr. Speaker. Yes. I move that we adjourn now until 1:30 tomorrow.

The Deputy Speaker: Until 7:30 p.m., I believe I heard you say, hon. Deputy Government House Leader. Thank you.

Mr. Olson: Until 7:30 tonight. I missed that. I'm not on duty tonight.

The Deputy Speaker: Just to clarify, the hon. Deputy Government House Leader has moved that the House stand adjourned until 7:30 p.m.

[Motion carried; the Assembly adjourned at 5:20 p.m.]

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