



Province of Alberta

The 29th Legislature
Second Session

Alberta Hansard

Tuesday afternoon, November 1, 2016

Day 42

The Honourable Robert E. Wanner, Speaker

Legislative Assembly of Alberta
The 29th Legislature

Second Session

Wanner, Hon. Robert E., Medicine Hat (ND), Speaker
Jabbour, Deborah C., Peace River (ND), Deputy Speaker and Chair of Committees
Sweet, Heather, Edmonton-Manning (ND), Deputy Chair of Committees

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Anderson, Wayne, Highwood (W)	MacIntyre, Donald, Innisfail-Sylvan Lake (W)
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Bilous, Hon. Deron, Edmonton-Beverly-Clareview (ND), Deputy Government House Leader	McCuaig-Boyd, Hon. Margaret, Dunvegan-Central Peace-Notley (ND)
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Jansen, Sandra, Calgary-North West (PC)	Swann, Dr. David, Calgary-Mountain View (AL)
Jean, Brian Michael, QC, Fort McMurray-Conklin (W), Leader of the Official Opposition	Taylor, Wes, Battle River-Wainwright (W)
Kazim, Anam, Calgary-Glenmore (ND)	Turner, Dr. A. Robert, Edmonton-Whitemud (ND)
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Larivee, Hon. Danielle, Lesser Slave Lake (ND)	Westhead, Cameron, Banff-Cochrane (ND), Deputy Government Whip
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)	Woollard, Denise, Edmonton-Mill Creek (ND)
Loewen, Todd, Grande Prairie-Smoky (W)	Yao, Tany, Fort McMurray-Wood Buffalo (W)

Party standings:

New Democrat: 54 Wildrose: 22 Progressive Conservative: 9 Alberta Liberal: 1 Alberta Party: 1

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Legislative Assembly of Alberta

1:30 p.m.

Tuesday, November 1, 2016

[The Speaker in the chair]

The Speaker: Please be seated.

Introduction of Guests

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

Mr. Shepherd: Thank you, Mr. Speaker. I have a couple of introductions to make today. First, it's my honour to introduce to you and through you two classes of students from the Victoria school of the arts, who are seated with us today in the public gallery and the members' gallery. With them today are their teachers Mrs. Nancy Adamson, Ms Hilary Mussell, Ms Annette Fraser, Ms Krystal Kulka, Mr. Remi Desjardins, and Mrs. Stacey Taylor as well as Mrs. Susan Hammett and Mr. Dan Mackie. I would ask them all to rise and receive the warm welcome of this House.

I have one other introduction. With us also today are some students from NorQuest College in the transitions to employment program: Brenda Chwyl, Ellen Robb, and Irena Darrah. I would ask that they also rise and receive the warm welcome of this House.

The Speaker: Welcome.

Are there any other school groups that we have as guests today? The Minister of Education.

Mr. Eggen: Well, thank you, Mr. Speaker. I'd like to introduce to you and through you members of McArthur elementary school with their teacher, Ginette Larocque, and adults Mark Marchand and Brett Hudyma. I think they're coming a little bit later, but I just wanted to get it in that they're here because they're such an awesome group. Ms Larocque is their teacher; she also was my daughter's teacher years ago, so it's kind of a cool coincidence. Let's give them a hand for being here.

The Speaker: Welcome to them as well.

Are there any other school groups, hon. members?

The hon. Member for Peace River.

Ms Jabbour: Thank you, Mr. Speaker. Today I have the great honour of introducing to you and through you four former heritage interpreters who've served at the Legislative Assembly Office's visitor services for a total of 35 years together. We have Mrs. Janet Scott, who served for 12 and a half years, from Riverbend, Edmonton; Mrs. Cathy de Frece from the constituency of Sherwood Park, who served for seven years; Mr. Charles Grelly from Spruce Grove, who served for seven years; and Ms Arlene Kissau, who served for eight years and resides in the community of St. Albert. I should also note that their service here at the Legislative Assembly coincided with that of six of our Premiers, including our current Premier. I would like to ask the four of them to please rise and receive the warm welcome of this Assembly.

The Speaker: Thank you, hon. members.

To the schoolchildren who are here: these individuals have spoken to many, many groups, and they know very much, far more than I do, about this institution.

Thank you for your public service.

The Member for Strathcona-Sherwood Park.

Cortes-Vargas: Thank you, Mr. Speaker. It's an honour to rise today to introduce to you and through you a constituent of mine, my younger brother Camilo Esteban Cortes-Vargas. I want to take a moment to recognize that he's a strong and articulate and very thoughtful young person. We get along most of the time although I was told today that in his mock Legislature he was the Leader of the Official Opposition. Later on I found out that he was advocating for lowering postsecondary education costs, so I believe that we're on the same page. I would ask Camilo to rise and receive the traditional warm welcome of the Assembly.

The Speaker: Welcome.

Are there any others? The Member for Calgary-Elbow.

Mr. Clark: Thank you very much, Mr. Speaker. It is my privilege to introduce to you and through you to members of the Assembly Mr. Tim Grover and Mr. Ryan Maxwell. Tim is the CEO of Terrapin Geothermics; Ryan Maxwell is the executive chairman. Tim is also the former executive director of the Alberta Party and a tremendously bright guy. I just wanted to acknowledge them here today and recognize them for their fine work on diversifying Alberta's economy and bringing remarkable new technologies to our province. Please rise and receive the traditional warm welcome of the Assembly.

The Speaker: Welcome.

Are there any other guests for introduction today? The Minister of Human Services.

Mr. Sabir: Thank you, Mr. Speaker. It's my honour to introduce to you and through you to all members of this Assembly some very special guests who have joined us in the gallery today. November is Family Violence Prevention Month in Alberta, and this year marks the 30th anniversary of when it began, in the town of Hinton. What started in Hinton in 1986 has since united Albertans to put an end to family violence in our province.

Today I would like to acknowledge a group of inspiring Albertans who are true community champions. I'm honoured to introduce Rasheal Charles and Carol Siziba from the elder resource and support team for helping elderly adults experiencing abuse and neglect. Also in the gallery are Amy Jeannotte from Youcan Youth Services, an organization dedicated to providing supports to youth who are impacted by bullying, and, lastly, Mr. Len Rhodes, CEO and president of the Edmonton Eskimos, who played a key role in starting the CFL's leading change program in partnership with Alberta Council of Women's Shelters. Through this program players go to the local high school and mentor younger men on gender-based violence prevention. Your presence here today is a reminder to all Albertans that everyone can do something to prevent family violence any time and any place. It's my honour to ask the distinguished guests to rise and accept the traditional warm welcome of this House.

The Speaker: Welcome.

Members' Statements

2019 Canada Winter Games

Mrs. Schreiner: Good afternoon, Mr. Speaker and fellow members. It is my distinct pleasure to draw attention to the 2019 Canada Winter Games, being held in my hometown of Red Deer. To date this will be the largest event hosted in Red Deer and one of the largest multisport and cultural events held in Alberta in more than two decades. From February 15 through March 19 Alberta's

third-largest city will be the gracious host to over 3,600 athletes and coaches; 20,000 visitors are anticipated to generate an economic impact of over \$132 million and stimulate the social and cultural essence of my pride, Red Deer. The dedication of over 5,000 volunteers, an 18-member board led by chair Lyn Radford, and an experienced and driven administrative staff will no doubt produce the most successful Canada Games in history.

Embracing the social, economic, and cultural impact, these games have stimulated several contributions: the Red Deer regional airport, the Gaetz/QEII interchange, and the legacy of the G.W. Harris Canada Games Centre. This directly enhances the economy for the community-minded citizens of Red Deer, Red Deer county, and Albertans alike.

These games are a fantastic occasion for the over 100,000 Canadian athletes who have showcased their physical talent and spirit since the games' inception in 1967. I wish to thank the 2019 Canada Winter Games board of governors for their dedication and leadership in ushering in such a monumental sporting occasion. Additional pride goes to Red Deer's very own legendary Ron MacLean, co-host of *Hockey Night in Canada*, and his wife, Cari, the honorary chairpersons.

With breadth of engagement reaching our true north strong and free, Red Deer's 2019 Winter Games will resonate the pride of our Alberta. Go, team Alberta.

Medicine Hat-Cardston-Warner 2016 By-election

Mr. Hunter: Mr. Speaker, I would like to take this opportunity to congratulate my friend and conservative candidate Glen Motz on his victory in the Medicine Hat-Cardston-Warner federal by-election last week. Mr. Motz grew up on a family farm just north of Hanna, Alberta. While attending Hillcrest Christian college, he met and married his wife, Sue, and they have had two children, and now they have six grandchildren. Mr. Motz began a policing career in Medicine Hat in 1980. He went on to receive numerous accolades and service awards. My colleagues and I are very much looking forward to working with Mr. Motz on important issues facing Albertans.

1:40

Right now, Mr. Speaker, Albertans are immensely concerned about the lack of jobs and a reeling economy. They're worried about how they're going to come up with the money that they need to pay for these new taxes that these provincial and federal governments are saddling them with.

Mr. Speaker, I've heard some NDs criticize the 1 per cent and talk about how they represent the 99 per cent or, as they like to say, the majority of Albertans. However, I couldn't help but notice something very interesting about the last election. The NDP received 350 out of 34,000 cast votes. I believe that works out to about 1 per cent. I don't think it's a coincidence that only 1 per cent of the voters thought that the Leap Manifesto NDP are the best representation for them. Since the NDP can't be that excited about these results, perhaps they should re-evaluate their position and consider whose interests they really are representing.

This government continually claims that Albertans support its agenda, but seeing as we are here to help, we'd like to offer some friendly advice: you might want to get out a little bit more. Mr. Speaker, the results of this by-election send a crystal clear message to both the federal Liberals and the provincial NDP that in our neck of the woods we are most and still resoundingly strong and free, and we are still conservative.

Electricity Power Purchase Agreements

Mr. Fraser: There's a saying that when you think you're leading and you turn around and nobody's following, it really tells you where you stand. We saw that this summer when the government decided to forge ahead despite the warnings from private industry, all opposition parties, and the public service. The result: power companies having the legal right to return power purchase agreements to the Balancing Pool because of a clause that was clearly visible and well known for over 15 years. We saw this government try to pin perfectly legal contracts on the previous government and vilify power companies who have made tremendous contributions to our communities over the years. Instead of honouring legal contracts between government and our job creators, the government doubled down and launched an ad campaign in local papers across the province.

Mr. Speaker, Albertans know better. Because of PPAs we've had a reliable supply of energy over the past many years, and in fact Alberta has had the cheapest energy among the provinces historically. Albertans know about the contributions made by these power companies because they work for these companies: investments in capital utility infrastructure and green energy initiatives, just to name a few. Albertans are proud of the fact that these companies have invested significantly in renewable energy, and in fact 15 per cent of our grid is already from renewables. Thanks to these companies we are well on the way to the government's goal of 30 per cent renewables by 2030.

Enmax and Capital Power are owned by Albertans. Premier, you're suing Albertans. They know that no matter the outcome of this case, they will be on the hook for this costly litigation when they can least afford it. But rest assured that the PC caucus has Albertans' backs and will hold this government accountable and put forward solutions to avoid issues like this one in the future. The NDP have clearly lost in the court of public opinion. It's time for this government to own up to your mistakes.

The Speaker: Allow me to remind all members that there is a courtesy in this House that is practised: when members' statements are being made, comments are not made.

The hon. Member for Calgary-Glenmore.

Treaty 7 First Nations

Ms Kazim: Thank you, Mr. Speaker. On September 30 I and many of my constituents attended a theatrical performance called *Making Treaty 7*. I attended this artistic show at the Grey Eagle Resort and Casino, which is on the Tsuut'ina Nation reserve lands adjacent to the constituency of Calgary-Glenmore. This amazing performance meticulously tells the history and story of First Nations communities, with a focus on the experiences of the people of Treaty 7. The performance took the audience back to the days when numbered treaties between First Nations and Queen Victoria were signed, from 1871 to 1921. It highlights the implications of what happened during the 137 years after the agreement was signed, in 1877.

Making Treaty 7 is also the name of a nonprofit cultural society responsible for the theatrical production, that conducts events serving the interests of people of all ages and backgrounds. Making Treaty 7 events not only appeal to Calgarians but also to Albertans and to all Canadians to pursue together a bright and sustainable future for all. The performance itself was at times profound and intense yet can raise the hope found in diversity, unity, and the story that we're all treaty people.

Calgary is built on Treaty 7 territory, and as the city grows, so does our culture. Hence, *Making Treaty 7* is a window to view the history of Calgary, this province, and to understand First Nations' experience of it. It is also a gateway to experience the evolution of our society as we all grow together as treaty people in the great city of Calgary.

I would like to congratulate the team of *Making Treaty 7* for their outstanding and valuable contributions in our communities. I'm very proud to say that I am the MLA for Calgary-Glenmore and neighbour to the Tsuut'ina Nation.

Thank you.

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

Day of the Dead

Loyola: Thank you, Mr. Speaker. [Remarks in Spanish] As one of the first three Latin Americans elected in the province of Alberta, it gives me incredible pride to stand in this Legislature today to speak on one of the most important celebrations of Latin America, a celebration founded on an indigenous world view that later was combined with the Catholic tradition brought by the Europeans that arrived on this continent. Day of the Dead is a tradition focused on our ancestors, highlighting for us the importance of our history through our familial and personal relationships, a celebration that allows us not to forget those who walked this Earth before we did. [As submitted]

Day of the Dead is a celebration where we honour our dead because of the indigenous belief that if we do not honour them, we will forget them forever. To me, this celebration is so incredibly important because it highlights a different understanding of the world. Some may ask themselves, "How is it that you may celebrate death?" but I will remind people that to the indigenous people of Abya Yala, or Turtle Island as our sisters and brothers here in the north call it, death is not something of which we are afraid. As we continue to explore each other's traditions and cultures, we begin to understand that we have much more in common than we have different.

On this Day of the Dead may you all reflect on those in your life who have passed and have left a resounding influence on the person that you have become. The more we understand our lives as being relational, the more we will understand the importance of how we all need to work with one another for unity so that we may build a better world for all.

I ask all the members of the Legislature to please join me and my colleagues in the rotunda at 6 p.m., after our session is over, for the official Day of the Dead ceremony. Thank you, Mr. Speaker.

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

Seniors' Housing in Fort McMurray

Mr. Yao: Thank you, Mr. Speaker. I rise today to speak to a matter of great importance for the residents of the municipality of Wood Buffalo, from Fort Chipewyan to Conklin. My friend and colleague Brian Jean fought hard for two years in Ottawa to get the federal government to grant six acres of downtown Fort McMurray real estate to the province under the condition that it be used for the development of seniors' housing and long-term care delivery. Alberta's last three Premiers had promised to complete this project, yet this land remains empty today. This is a project that both the Wildrose and the NDP campaigned on.

People will retire in Fort McMurray. There are people who were born and grew up there. Their families are ingrained in our community. Grandparents in Newfoundland and Ontario are

moving there because their kids and their grandkids are there. Our indigenous communities are asking why this isn't built. The elders of our region desire to retire there as this is their ancestral land, and they wish to be close to their families so that they may pass on the culture and the language of the Cree and the Dene.

The last government committed to delivering 1,500 long-term care beds in the province, and this government has promised 500 more than that. I encourage this government to work with the people of our region and get Willow Square built. Consult with the community, and I promise you that you will not have an adversary but a knowledgeable and innovative partner that will help create a viable solution that will address our seniors' housing issues for the next 30 years.

This facility would be in the heart of Fort McMurray and has the potential to allow our people to age in community. Did I mention that it would also free up an entire floor of our hospital? Let's get this right. Support a seniors' facility in Fort McMurray, and fulfill a promise to our senior citizens.

Thank you.

1:50

Oral Question Period

The Speaker: The Leader of the Official Opposition.

Electricity Power Purchase Agreements

Mr. Jean: Earlier this year the NDP government decided to completely undermine investment confidence in Alberta by going to court to rip up 17-year-old contracts. My questions are not about the court case but about whether this government is competent or telling the truth. Today the Wildrose proved that Enmax briefed senior political staff and civil servants of this government about the change-in-law clause in the PPAs, and they did that before they used that clause to turn back the PPA. Does the Premier still stick by the government's fiction that they didn't know about this clause in the PPAs until three months later?

Speaker's Ruling

Sub Judice Rule

The Speaker: Hon. members, I feel the need to once again remind the House about the sub judice principle. I wish to remind you of Standing Order 23(g), also known as the sub judice rule, which governs statements made in this Assembly about legal proceedings before the courts. Members should not be engaging in debate or asking questions which may prejudice a civil proceeding "that has been set down for a trial or notice of motion filed, as in an injunction proceeding."

Let me say again that I understand that an application was filed in July of this year by the government of Alberta seeking a declaration with respect to several power purchase agreements. It's extremely challenging for me to make a determination on whether statements made in this Assembly might prejudice those proceedings without knowing all of the particulars of the case, and I must rely on the members and ministers who have greater information about the possible prejudicial effect of a question or an answer. Members are referred to pages 627 to 629 of *O'Brien and Bosc* and pages 153 and 154 in *Beauchesne's* for a discussion of the sub judice principle and their applications to the statements made by members in this House.

I would note also that Standing Order 23(g) states that "where there is any doubt as to prejudice, the rule should be in favour of the debate." I will therefore allow some latitude with respect to this matter, but I would also urge members to exercise discretion when

engaging in a debate, asking questions, or giving answers on this matter or any other matter which would be subject to the sub judice rule.

The Speaker: The hon. Premier.

Mr. Cooper: Point of order.

The Speaker: Point of order noted.

Electricity Power Purchase Agreements (continued)

Ms Notley: Thank you very much, Mr. Speaker. To begin with, there is absolutely nothing new in the documents that the member opposite referred to today. They've already been made public. I do congratulate him on his growing use of Google. Having said that, I think that, generally speaking, the matter is getting into a level of detail that is more appropriately reserved for the attention of the courts. This is not the appropriate forum for that detail. In general, our government will take every opportunity outside of the courts to stand up for consumers, both industrial and residential, and we won't stop doing that.

Mr. Jean: Every shred of public evidence shows that at the very least this government's bureaucrats knew of the change-in-law provision as early as last September, a year ago. Now the elected officials claim that they didn't know until a full six months later. It's unbelievable. The NDP excuse is that they were ignorant and that their staff was incompetent. Why does the Premier think that Albertans should pay for this colossal billion-dollar mistake, and why hasn't anybody been fired for incompetence?

Ms Notley: Mr. Speaker, as I've already indicated, the information on the matter that the member opposite is raising has been in the public sphere for some time. Generally speaking, getting into the kinds of details that they're talking about is not appropriate for this forum, and what we are going to do is stand up for consumers, residential and industrial, because those folks should not have to be paying costs that are not rightly theirs.

Mr. Jean: Mr. Speaker, ripping up a long-standing government contract on the flimsiest of arguments is something that is beneath a democratic country in a modern economy. It will scare away investment in Alberta just when we need people to invest in our electricity industry. The government's handling of this is either incompetent or dishonest or simply both. Why is this Premier taking us down this path that will have long-term negative implications for Alberta's prosperity and short-term negative implications for getting anyone at all interested in investing in our electricity generation?

The Speaker: The hon. Premier.

Ms Notley: Well, thank you very much, Mr. Speaker. In fact, we are about to commence a great deal of consultation on the matter of incenting investment into our energy sector and into our electricity sector, something that needs to be done because the current system set up by the previous government is not sustainable to attract investment into capital in the electricity sector. So we're doing that. We're doing that in good faith, and we will continue to have those conversations on behalf of all Albertans.

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

Carbon Levy Economic Impact

Mr. Jean: Yesterday the NDP government released an analysis on their carbon tax that looks like it was scribbled on the back of a napkin. It was totally void of potential job loss numbers. It had zero information about what the carbon tax's impact would be on our most important industries. In no case did it cite the damage that it would cause for our farm and energy sectors, and nowhere did it calculate the devastation that the accelerated coal shutdown will have on communities across Alberta. When will the Premier release the full report and be honest with Albertans?

The Speaker: The hon. Premier.

Ms Notley: Thank you, Mr. Speaker. We released our most up-to-date conclusions yesterday, as the member identified. They show what most other reports also show, that under the worst-case scenario there would be a very modest negative impact, not taking into account the cost of doing nothing, which is significant. Our plan will diversify the economy, it will create jobs, it will protect the environment, and it will help Alberta reposition itself as the modern, progressive energy producer that it needs to be.

Mr. Jean: And, of course, almost triple the electricity rates for every Albertan.

The Premier's office is trying to hide behind a ridiculous excuse that the full analysis is subject to cabinet confidentiality, which is code for they don't want to release the numbers. The fact is that it took a year for the NDP to produce a single sheet of paper on the damages that this carbon tax will have on our economy. The fact is that the government isn't releasing their full analysis and is not giving Albertans the truth about what they can expect and the higher costs. When will the Premier release this government's report that shows all the numbers and come clean to Albertans?

Ms Notley: Well, you know, Mr. Speaker, this is actually quite super rich coming from an Official Opposition where the fact is that they weren't able to release a shadow budget. The fact is that they weren't able to release their own response to the climate change issue. The fact is that they have no plan to deal with the climate change problems threatening our whole province and our economy. Very rich coming from that side.

Mr. Jean: The government's one-page brief says that the NDP carbon tax will cause only a, quote, modest drop in GDP, that modest drop at a time when Alberta has seen over 100,000 jobs vanish under the NDP's watch. A modest drop in the GDP means thousands more Albertans will be out of a job or they won't be able to find one. The fact is that the NDP's flagship economic policy is wreaking havoc on our province and hurting the working families who we are supposed to help and defend. How, then, can the Premier justifiably intentionally shrink our economy and cost so many Albertans more jobs and more quality of life?

Ms Notley: Well, you know, Mr. Speaker, I think that at a time of the kind of challenge that we have right now, the kind of hyperbole that we hear from the members opposite is not really helpful.

I'd like to point to another report done, in fact, by a minister in the Leader of the Official Opposition's former federal government and staff from the former Premier Minister's office, which concluded, actually, that "for energy producing provinces, an Alberta-style hybrid carbon price model... improves economic performance by 1.43%." Not everybody, it appears, has their head firmly buried in the sand, just the Official Opposition.

The Speaker: Thank you, hon. Premier.
First question.

2:00

Justice System Delays

Mr. Jean: There is a very serious problem in Alberta, Mr. Speaker. Sexual assault victims are watching attackers walk away scot-free. One woman suffered an assault that required multiple blood transfusions and surgery to recover from her injuries. Her attacker is now walking free around Alberta without any consequence. The NDP has been in power for nearly a year and a half, but the fact is that it has taken far too long for action. Our courts are starved for resources, and we've seen barely any public effort by this government to push Ottawa to appoint more judges. Why didn't the NDP act sooner so that we can see justice for the victims in Alberta?

The Speaker: The hon. Premier.

Ms Notley: Well, thank you very much, Mr. Speaker. Let me begin by saying that our government feels very strongly for those who are the victims of crime, and we understand that it matters a great deal to them to see the matter addressed quickly, as it does to all community members, because, of course, those kinds of things shouldn't be allowed to go unaddressed within our community and our society. Since we've been elected, our minister has worked very hard to push the federal government to appoint more judges. Indeed, we just recently saw, I believe, seven more judges appointed as a result of her efforts. We've also appointed, I believe, nine additional . . .

The Speaker: Thank you, hon. Premier.

Mr. Jean: While we welcome these new judicial positions, the fact is that we are still waiting for Ottawa, and the NDP failed to address this as soon as they came into office or soon enough. In my home of Fort McMurray a young mum of two watched the man accused of assaulting her walk free just last week. She had to listen to the attacker's lawyer actually say, and I quote: you're free; we won. This is totally unacceptable. What meaningful action will this government take, will anyone in this government take to sound the alarm to Ottawa and start giving our courts the resources they need to hold criminals to account?

Ms Notley: Well, Mr. Speaker, again I very much sympathize with the people that the member opposite describes, but I think it's important to understand that part of the delay that we're dealing with is the fact that Alberta has had significantly fewer judges per capita than any other province in the country, and that difference arose under the watch of the previous Conservative government, of which this member was a member. You know, the matter has been allowed to fester for about a decade, and addressing the deficit in judicial services takes time. [interjections]

The Speaker: Hon. government members, I hope you contain your comments and volume.

Mr. Jean: I notice that with this government it's always somebody else's fault. They're in power, and they have to do it.

In Calgary there are potentially 400 cases that could be thrown out right now due to delays. Two murder cases are at risk of being tossed out. The fact is that resources for our courts and for our prosecutors are too low. There are not enough judges, and now the province is in a position where we are having to triage criminal cases. This is unacceptable. At a time when crime is rising across Alberta, this has significant ramifications for Albertans and all of

our communities. What can the government tell the scores of victims about why they haven't acted sooner to fix this problem?

The Speaker: Thank you, hon. member.
The hon. Premier.

Ms Notley: Well, thank you, Mr. Speaker. As I've indicated, just two weeks ago our government did announce that we were funding 10 additional judicial positions. We've also added significantly to the rosters of Provincial Court judges. We also increased legal aid by 20 per cent. We also increased the budget to ALERT after the federal government cut funding, for a total of \$30 million. We are working diligently on this matter. The Minister of Justice is working diligently on this matter. We care very much about the communities that are worried about their safety, and we will continue to do that work.

The Speaker: The hon. leader of the third party.

Health Care and Education Funding

Mr. McIver: Thank you, Mr. Speaker. I asked this question and didn't get an answer, so I will try it again today. To the Premier: will you commit today that your government will keep its promise to not lay off or reduce hours of teachers and nurses during this term of office? Yes or no?

The Speaker: The hon. Premier.

Ms Notley: Well, thank you, Mr. Speaker. I thank the member for his question, and I certainly hope that our exchange today doesn't put any of his guests to sleep. Let me just suggest that our government will continue to invest in public health care, and we will add more front-line services every year. There will be no layoffs, absolutely no layoffs. We will not go back to the slash-and-burn cuts of the 1990s, overseen by members of that caucus in the past, that hurt families and undermined our public services. We will continue to support our health care and our education.

Mr. Nixon: Point of order.

The Speaker: Point of order noted.
First supplemental.

Mr. McIver: Thank you, Mr. Speaker. Thank you, Premier, for that answer.

Mr. Speaker, my question now to the Premier is: is it your contention that up till now, between the time you were elected and today, you haven't reduced hours or laid off teachers or nurses during this term of office so far?

The Speaker: The hon. Premier.

Ms Notley: Thank you, Mr. Speaker. As I've indicated, there have been and will be no layoffs. What we have done is that we have cancelled the unfair health premiums from the previous government, we've partnered with physicians and signed a new agreement to save half a billion dollars to help slow the rate of spending growth and deliver better care, and we've moved forward on enhancing the use of affordable generic drugs, where appropriate, to bring in cost savings. We do need to control the rate at which our health care costs are increasing, and the Minister of Health is working diligently on that within the context of understanding the extreme value of our public health care system to all Albertans.

Mr. McIver: Well, this is instructive, Mr. Speaker, because up till now the Premier and her front bench have all said that they couldn't possibly reduce any expenditures anywhere in their budget without laying off teachers and nurses. [interjections] No. They've said it repeatedly. So I will say to the Premier: in between, would you consider perhaps not spending \$200 million on a laundry service for AHS that they don't need and \$50 million for a laboratory? Those are other ways that you could actually save the taxpayers money without laying off teachers or nurses.

Ms Notley: Well, Mr. Speaker, apparently, the members opposite want to lay off nurses, teachers, and laundry workers. Nonetheless, I would urge the members opposite to read the budget that was introduced last March because, in fact, we made it very clear there that it was our plan to try to slowly reduce the rate of increase in the health care sector. Under the previous deal, signed by members opposite, with respect to physicians, for instance, we were scheduled to see an 8 per cent a year increase in 10 per cent of the budget because of the AMA deal. We understood that it was necessary to reduce that rate of . . .

The Speaker: Thank you, hon. Premier.
The Member for Calgary-Elbow.

Power Purchase Agreements and the Balancing Pool

Mr. Clark: Thank you very much, Mr. Speaker. In September I released a detailed financial analysis showing that the Balancing Pool will be bankrupt before the end of this year. Now, I have a simple question for the Minister of Energy. When will the Balancing Pool run out of money, and what will you do when it does?

The Speaker: The hon. Minister of Energy.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. Thank you for the question. We are working with the Balancing Pool and with the PPA matter right now, and we will have more to answer about that in the next while.

Mr. Clark: I guess we've learned why this is called question period, not answer period, Mr. Speaker. But I will try again. I will try again.

It is an indisputable fact that this government's policies have put the Balancing Pool on a path to bankruptcy. In fact, it may already be bankrupt today, right this minute. Again to the Minister of Energy: when the Balancing Pool goes bankrupt, will you commit here and now that you will not use taxpayer money to bail out the Balancing Pool?

The Speaker: The hon. minister.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. Thank you for the question. Again, to reiterate, we're working with the Balancing Pool and the finances going forward. It's a complex issue with the PPAs and all the different pieces of the puzzle. They do have money today, and we're working to make sure they have money in the future.

Mr. Clark: Mr. Speaker, with respect, it's actually a very simple issue. The Balancing Pool may have already been bailed out by this government. This government is going to use taxpayer dollars to bail out the Balancing Pool to cover their own incompetence. The answer is simple. They could have chosen to accept back all of the PPAs and allowed the Balancing Pool to mitigate financial losses to Albertans. Again to the Minister of Energy: will you drop the

damaging lawsuit, accept back the PPAs, and set about the hard work of rebuilding Alberta's reputation as a great place to invest?

2:10

The Speaker: The hon. Minister of Energy.

Ms McCuaig-Boyd: Thank you, Mr. Speaker. As I mentioned, actually, the member across the way is incorrect in his assumption that we have given money. We have not. We, again, are working with the PPA issue. The Balancing Pool has funds right now, and we will continue to work with them to ensure that there are funds moving forward.

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

Craft Breweries

Ms Miller: Thank you, Mr. Speaker. Minister, this summer you spent some time on the road touring small breweries across the province and meeting with local entrepreneurs. Given that the founders of Troubled Monk Brewery in Red Deer were pleased that government policy is supporting local businesses and employing Albertans, can you report back to the House about the tour and feedback you heard from other Alberta small businesses?

Mr. Ceci: Thank you very much to the Member for Red Deer-South. Yes, I did go around the province, to about six or seven different communities, and met with small brewers. I can tell you that they're very happy with the small breweries development grant and what we've put in place. That grant supports capital investment and allows them to hire on people, and they are doing that. I met the new person at Troubled Monk. There are over 43 small breweries as a result of the investment back in and 23 new licences as of May 2016. So beer is good, beer is fine in this province.

The Speaker: The first supplemental, please.

Ms Miller: Thank you, Mr. Speaker. Given the important steps this government has taken to promote jobs and diversify the economy, to the same minister: can you explain to the House how Alberta's liquor market compares to other jurisdictions in Canada?

Mr. Ceci: Thank you to the Member for Red Deer-South. Mr. Speaker, our model is an open system. Anybody who wants to fill out a two-page application and give \$75 to AGLC can get their beer marketed in this province. There are over 7,435 labels of beer. All I can say is that there's so much beer and so little time.

The Speaker: Second supplemental.

Ms Miller: Thank you, Mr. Speaker. Given that we have heard from the opposition that they don't agree with this policy and prefer to see the government go back to the old way of doing things, to the same minister: can you tell the House why our government rejects this out-of-touch, backward-looking approach?

Mr. Ceci: You know, the Member for Red Deer-South is totally correct in that assertion. We are standing up for breweries, small beer development, on this side. On that side they're standing up for breweries in other provinces. I don't understand that. We heard loud and clear that brewing in this province is good. It creates jobs. It needed a change. We listened; they don't want to listen. We're going to continue to drink Alberta craft beer.

The Speaker: The hon. Member for Airdrie.

PDD Service Delivery

Mrs. Pitt: Thank you, Mr. Speaker. On June 1 the Minister of Human Services removed the criteria which determined the level of funding and supports received for persons with developmental disabilities. According to the department's website it says that the SIS, or supports intensity scale, is currently under review. To the Minister of Human Services: what is the status of this review, and when will it be published?

The Speaker: The Minister of Human Services.

Mr. Sabir: Thank you, Mr. Speaker, and thank you, Member, for the question. We know that that's an important issue for the disability community, service providers, and families, and it is critical that we listen to their feedback and work collaboratively with them. The feedback over the past year: we heard that SIS was not the right tool, and it was rejected unanimously by the entire PDD community in the consultations. That's why we removed it, and we will work with the community to bring in a tool that is more respectful and that works for the community.

The Speaker: First supplemental.

Mrs. Pitt: No timeline, I guess.

Thank you, Mr. Speaker. I recognize that aspects of SIS were dehumanizing, but given that over the summer I've heard from numerous PDD care providers that their funding has been cut as a result of having no funding guidelines for government agencies and given that these caregivers often provide around-the-clock, life-sustaining therapy, when can we expect the regulations to govern PDD support funding?

The Speaker: The hon. minister.

Mr. Sabir: Thank you, Speaker. Thank you, Member, again. SIS was only one such tool with many other tools to determine the funding and to determine the supports. SIS primarily was used to determine the supports and outcomes. If there is a specific case where funding was cut, I will certainly look into it. SIS doesn't determine funding levels. Funding levels remain the same as they were before.

Mrs. Pitt: It's a half-truth, Mr. Speaker.

Given that families who depend on this funding are becoming increasingly frustrated with this government throwing money at layers upon layers of bureaucracy with little to the front lines and given that according to the ministry's website there are over 10 pages of senior VPs, VPs, directors, and other middle managers, what is the minister doing to ensure that public dollars are being effectively administered to the front-line care workers and the vulnerable Albertans they serve?

The Speaker: The hon. minister.

Mr. Sabir: Thank you, Mr. Speaker, and thank you, Member, for the question. We are absolutely committed to making sure that public dollars are spent in a transparent and accountable manner. Ever since I've been minister, I have been working in consultation with the PDD community, their representative organization, and their guardians, who know best their problems and the solution to those problems, and that's what we will do going forward to make sure that the PDD dollars reach to where they belong.

Thank you.

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

Electricity Power Purchase Agreement Lawsuit

Mr. Ellis: Thank you, Mr. Speaker. My question is not about the ongoing PPA court case but about the choice in counsel. The NDP has launched a court action against its own government to declare a portion of the PPA invalid. In doing so, it chose to not utilize its own legal counsel at Alberta Justice, nor did it hire an Alberta law firm. Instead, it retained a lawyer in British Columbia who has strong connections to the NDP. To the Premier: why are you using Albertans' tax dollars to hire NDP friends in B.C.? Is this not an insult to Alberta's legal community?

The Speaker: The Deputy Premier.

Ms Hoffman: Thank you very much, Mr. Speaker and, in fairness, to the member for asking the question as well. It's of course important to make sure, especially when we're in items of such high stakes, where we're standing up for Albertans – companies who've been very successful and making \$10 billion worth of profits now are at a point where they want to return potential losses back to taxpayers. It's important that we hire the very best lawyer in the country who has a track record of standing up for the public interest and for citizens. And that is who we absolutely chose in this case.

The Speaker: First . . .

Mr. Ellis: Thank you, Mr. Speaker. Given that Albertans have expressed surprise that the NDP is challenging its own government's PPAs and given that Albertans need to have faith that their government is working in their best interests and given that there has to be qualified legal expertise in the province of Alberta to handle this court challenge, again to the Premier: is the reason you went outside the province to hire Mr. Arvay because you could not find any competent lawyers in Alberta who share the NDP world view? Was no one qualified here in Alberta?

The Speaker: The Deputy Premier.

Ms Hoffman: Thank you for the question. In our world view taxpayers shouldn't be on the hook for something that the third party, who's asking the very question, allowed to be negotiated and potentially this loophole driven through by Enron, Mr. Speaker. That does not fit with our world view. Mr. Arvay has a proven track record of standing up for the public interest. The third party has a proven track record of putting in secret loopholes behind closed doors. I'll take Mr. Arvay any day. [interjections]

2:20

The Speaker: Just relax, folks.

Second supplemental.

Mr. Ellis: Thank you, Mr. Speaker. It's been on the public record for 15 years.

Given that it is incomprehensible that not one legal counsel in the government's contingent of lawyers is capable of handling this court challenge and given that it is equally incomprehensible that no Alberta-based lawyers in our many experienced and respected law firms could have handled this case, again to the Premier: what was the process the government used in selecting Mr. Arvay to handle this important Alberta court case? Is it a sole-source contract, and how much is he being paid?

Ms Hoffman: Many years ago the previous government did pass a regulation to say that they shouldn't have to publish the Enron clause publicly . . . [interjections]

The Speaker: Could you start again?

Ms Hoffman: Thank you, Mr. Speaker. Years ago the third party today, then government, passed a regulation to say that they shouldn't have to publish the Enron clause, which, clearly, certainly wasn't in the public interest in any way. They certainly made covert efforts to make sure that this wasn't going to be well known by Albertans and for good reason. This doesn't reflect what they told Albertans when they talked about moving away from having liability on ratepayers' responsibilities towards having a shared responsibility with . . .

The Speaker: Thank you.

Federal Equalization Payments

Mr. Fildebrandt: Mr. Speaker, last week a blue-ribbon panel commissioned by the opposition released a report on Canada's equalization system. The report confirms what most Albertans already know. The system is broken. Ottawa took \$190 billion more out of Alberta than it sent back to Alberta between 2007 and 2014. Albertans can no longer subsidize cheap government programs in other provinces. Minister, let's put partisanship aside. Will you stand with the opposition and demand a better deal for Alberta?

The Speaker: The Minister of Finance.

Mr. Ceci: Thank you very much, Mr. Speaker. With regard to the equalization payments report I haven't had the opportunity to read it yet. It came out last week, and I'll get a chance to take a look at it, I'm sure. You know, talking about standing with Albertans, the Leader of the Opposition, when he was in government for all that period of time, never raised equalization as an issue. The former Prime Minister never raised the issue of equalization the whole time that he was in government. So it's pretty rich, as the Premier was saying, that now it's being brought up and being seen as something that has to change immediately when it's up for . . .

The Speaker: Thank you, hon. minister.

Mr. Fildebrandt: Well, now we know why the NDP is more popular in Quebec than in Alberta. Mr. Speaker, given that Alberta will not receive a penny of equalization this year despite being the largest per capita contributor for decades while Quebec will collect more than \$10 billion this year to subsidize cheap daycare and tuition – in 2011 Quebec put out a position paper making the case for their own interests. Will this government put forward a position representing our interests and stand up for Alberta?

The Speaker: I want to remind all members: after question 5 no preambles on supplementaries.

The Minister of Finance.

Mr. Ceci: Thank you very much, Mr. Speaker. I just want to remind the members on the other side that this side fights for Albertans every day, and we get things done. We get things done. We've gone after federal funding with regard to the wildfire situation. We've gone after the employment insurance changes for this province, and we are working with the federal government to get pipelines approved and built so we can get access to tidewater. [interjections]

The Speaker: Was it that you all ate too much candy last night? Ease it down, folks.

Mr. Fildebrandt: Given, Mr. Speaker, that every recipient province makes the case for why they should get more but that we

hear nothing but deafening silence from this government when it comes to defending the interests of the people of Alberta, who are hurting right now, you have to wonder if this government is more interested in representing the confiscatory federal transfer system over the people who have paid into it for so long. Which is it, Minister? Are you going to stand with the broken status quo, or are you going to stand with Alberta?

Mr. Ceci: I don't know what confiscatory means, Mr. Speaker, but I will tell you what I do know. This side is standing up for EI changes, pipelines to tidewater, more infrastructure funding so Mason can go out there and build. [interjections] We're doing the things . . .

Ms Hoffman: Masons. Masons.

Mr. Ceci: Masons.

We're doing the things that are putting people back to work, diversifying the economy, and they're talking about something that won't happen for review until 2019.

The Speaker: Hon. minister, I just want to know. Have you been travelling a lot to visit pubs of late? It would be the first time that I saw the opposition and the government stand and agree on the same point of order.

Affordable and Special-needs Housing

Mr. Cooper: In April, seven months ago, I rose in this very House and asked the minister of housing: why was it that in Olds-Didsbury-Three Hills well over half of the available low-income housing had been determined to be uninhabitable and sitting vacant? Instead of acting, the situation has gotten worse. Now a total of 14 units, over 65 per cent, are unavailable to be rented out. The fix is easy, Mr. Speaker. It's a no-brainer. To the minister of seniors: when will these units be fixed?

The Speaker: The Deputy Premier.

Ms Hoffman: Thank you very much, Mr. Speaker and to the member for the question. I'll have to get back to him in writing about the specific case he mentions, but since I have 20 other seconds, let's comment on what the opposition's proposal was with regard to infrastructure: cutting \$9 billion from the infrastructure list. I'm pretty sure that would cause a great deal of backlog throughout the province. Instead, our province is moving forward with a reasonable investment that's responsible and forward-looking to make sure that affordable housing is available throughout our province.

Mr. Cooper: Given that in early October I asked for an update from the minister and at the end of October I was told by the minister's office that they were reviewing the needs of the province yet all we hear this government talk about is the \$1.2 billion investment in low-income housing and given that this is an issue that doesn't need reviewing – it needs action – and given that I know of one central Alberta charity that in the past few months has assisted in 80 applications for low-income housing, without blaming anyone else, will the minister fix these units?

The Speaker: The Deputy Premier.

Ms Hoffman: Thank you very much, Mr. Speaker. I will have to get back with regard to the specific question. I'll be happy to table a response to the House about those specific units.

In terms of moving forward, we're moving forward on a plan to build 2,000 new long-term care beds throughout the province as well as dementia beds. We're also increasing affordable housing, as was mentioned by the member opposite. In terms of affordable housing, an investment of \$1.2 billion: that's a big difference from a proposed cut in infrastructure of \$9 billion. I'd say that moving forward with investment, putting bricklayers like masons throughout the province to work is certainly a move in the right direction.

The Speaker: Deputy Premier, that would be the second time that a name was mentioned in the House.

Ms Hoffman: No, no. Masons.

Mr. Cooper: Again, all we hear about is their investment when we need action now, and we need action for victims of domestic violence. Given that Mountain View region currently has no shelter for women or children while there are 41 bedrooms that sit vacant in this region and given that strategies, paperwork, waiting lists are not action, will the minister at least consider turning over one of these assets to a local charity so at least they could fix up the unit and provide the safety that women and children need when fleeing violence? What will it take for this minister to act?

The Speaker: Thank you, hon. member.
The Minister of Human Services.

2:30

Mr. Sabir: Thank you, Member, for the question, and thank you, Mr. Speaker. We recognize that there are many social deficits that we are dealing with throughout the province, homelessness, housing shortages, and that's why we have increased funding for women's shelters as well. This budget was increased \$15 million to make the budget a total of \$49 million, the most significant investment in a long time. We have also allocated capital money, \$1.2 billion, to look after these social deficits. We will continue to work with partners and the community.

The Speaker: Thank you, hon. minister.
The Member for Grande Prairie-Wapiti.

Bovine Tuberculosis

Mr. Drysdale: Thank you, Mr. Speaker. I've been talking to Alberta beef producers who are concerned about the 30 ranches currently under quarantine in southern Alberta. In September the Canadian Food Inspection Agency found bovine tuberculosis in an animal sent to the U.S. for slaughter. It's been implied that the elk herd in Suffield may be a potential source. To the minister: can you please explain what's currently happening with this situation and what your government plans to do to control the outbreak?

The Speaker: The Minister of Municipal Affairs.

Ms Larivee: Thank you, Mr. Speaker. I want to reassure the member that we have been in close contact with beef producers about the issue. We know that it is causing some producers a great amount of stress. We know the beef industry in Alberta is strong and resilient. We are monitoring the situation closely and looking at options we may have to support producers and urging the federal government to do the same. We will continue to listen to producers and to support our beef industry.

The Speaker: First supplemental.

Mr. Drysdale: Thank you, Mr. Speaker. Given that the first herd was quarantined on October 19 and given that the situation has escalated to 30 herds since that time, this ongoing situation is a growing concern for industry producers. To the minister: how will this situation affect our Alberta beef producers and their ability to sell their product to foreign markets?

The Speaker: The hon. minister.

Ms Larivee: Thank you, Mr. Speaker. Incidents such as this do happen at times, which is why there are processes in place. There are isolated cases of bovine TB periodically reported in Alberta and other provinces. We do not anticipate any market disruptions as a result of this situation. However, as previously stated, we are monitoring the situation closely, and we'll continue to be in close contact and conversation as we move forward and continue to support our beef industry.

The Speaker: Second supplemental.

Mr. Drysdale: Thank you, Mr. Speaker. Industry producers have assured me that there's no risk in eating Alberta beef. To the minister: can you explain what human health risk there may be due to this TB outbreak?

Ms Larivee: Thank you, Mr. Speaker. As a public health nurse I can tell you all about human TB and the implications. However, I don't think I could tell you the exact implications of bovine TB, so I'll be happy to get some information on that and get back to the member.

CFIA is leading this investigation. It is a federal matter. We have offered our support in this. At this point we've not been asked to help with the trace-out to determine whether TB is present in the local wildlife or any of those pieces, but we are monitoring the situation. We will continue to work with the federal government and producers to ensure we get product to market as soon as possible moving forward. We're not expecting any market disruptions, however.

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

Calgary Southwest Ring Road

Ms Kazim: Thank you. I have a question for the Minister of Transportation. Recently there has been a big project going on in Calgary-Glenmore for the southwest ring road. What steps are being taken to ensure that commute times are reduced and that my commuters are able to attend family events as well as get to work on time? And how is this project going to unfold? Please provide the details in terms of what is going to be done to implement the project.

Thank you.

The Speaker: The Minister of Infrastructure.

Mr. Mason: Thanks very much, Mr. Speaker, and thanks for the question. We're delighted to be moving forward with the construction of the southwest ring road in Calgary, which is an important job, that will help create jobs and stimulate the economy. It will also ensure improved transportation options and reduce commute times for the people of Calgary. Preliminary work started in July, and we finalized our contract in September. Construction is happening on-site and will last five years, a targeted opening date of 2021.

The Speaker: First supplemental.

Ms Kazim: Thank you, Mr. Speaker. Given that Calgarians are expecting to see the west section of the ring road completed, to the minister: why can't this section be completed at the same time as the Calgary southwest ring road?

Thank you.

Mr. Mason: Thanks very much, Mr. Speaker, and thanks for the question. I'm aware that there are some who believe that both sections of road should go at the same time, but the capital costs of doing so would exceed our capacity, and it would require an enormous amount of resources in terms of manpower, equipment, contracts, and so on. Quite simply, we have to build this road one section at a time.

The Speaker: Second supplemental.

Ms Kazim: Thank you, Minister, and thank you, Mr. Speaker. Given that Calgary's transportation infrastructure is expanding along with its population and given the fact that commute times are also an issue and the fact that the Calgary southwest ring road is one of the ways to improve the commute times and, as well, the public transit projects that are coming at the same time, I would like to get some more information. How will the government ensure that the completed ring road fits into Calgary's long-term transportation plan, including public transit?

The Speaker: The hon. minister.

Mr. Mason: Thanks very much, Mr. Speaker. Well, our government is committed to transportation infrastructure throughout the province. I'm happy to announce as well with respect to Edmonton that we have now approved our share of the Yellowhead project, with a contribution of \$242 million as our share for the completion of the project, that I know city council and the mayor have been very anxious to see. We're looking to the federal government as well. I know that this a project that all of us want.

The Speaker: The hon. Member for Bonnyville-Cold Lake.

Home-schooling Providers

Mr. Cyr: Thank you, Mr. Speaker. To the Minister of Education. We have heard reports that parents are having difficulties finding alternative schools to register with because there are issues with picking up a program mid-year. The minister has encouraged families to find other options, but we are hearing repeatedly that it's just not that simple. To the minister: what are you doing to help these families?

The Speaker: The Minister of Education.

Mr. Eggen: Thank you, Mr. Speaker, and thank you very much for the question. Certainly, I'm very interested in ensuring that all families get a new affiliate so that they can get the money and the assistance that they deserve for home-schooling. We are fully in support of home-schooling and want to provide that assistance. I've sent a letter out to all school boards to reiterate their commitment to ensure that they take students in their area. They have a responsibility to do so. Our school boards do a great job, and I want them to do right by these home-school families.

The Speaker: First supplemental.

Mr. Cyr: Thank you, Mr. Speaker. We had one parent that was rejected seven times.

Yesterday you glossed over the impacts on families by suddenly shutting down their school. Given the minister has said that the parents will need to be reimbursed by Trinity Christian School for the costs that they may have already paid, what does the minister say to the family with five children that is waiting to get their fees back and now is forced to start all over with a new educational provider?

Mr. Eggen: Well, Mr. Speaker, thanks for the question again. It's very important that we move the money that is due to each of these families, so for September and October we put Trinity on a shorter payment schedule because we knew there was a problem. We have the money for the rest of the year. We also expect a forensic audit to be completed for Trinity by auditors, and any of the monies that they had spent over will be returned to families. We're working very hard. If you can give me information specifically, hon. member, for individuals who are having difficulties, we will be there to help.

The Speaker: Second supplemental.

Mr. Cyr: Thank you, Mr. Speaker. Forensic audits aren't going to help right now.

People are calling the right place, and the resources are just not there. Will you admit that you are unprepared to communicate with parents, to support families, and to deal with this fallout that you have created with the school, and will you answer the question that was not answered yesterday: what alternatives were there to outright closure?

2:40

The Speaker: The hon. Minister of Education.

Mr. Eggen: Well, thank you, Mr. Speaker, and thanks for the opportunity to reiterate that we are also calling every single family that has not registered as of yet to offer what assistance we can to get them the affiliate that they need. There are lots of options, and we can make it easier for them.

In regard to the audit and the closure this, again, is a fundamental responsibility of a government to ensure that public monies are being spent the way they should be. We had evidence of irregularities, so my office did the right thing.

Introduction of Bills

The Speaker: The hon. Minister of Environment and Parks and minister responsible for the climate change office.

Bill 25

Oil Sands Emissions Limit Act

Ms Phillips: Thank you, Mr. Speaker. I rise today to introduce Bill 25, the Oil Sands Emissions Limit Act.

If adopted, the act will establish a hard cap on greenhouse gas emissions, providing certainty to Albertans and to industry that in any given year the emissions from facilities in the oil sands will be below 100 megatonnes.

Thank you, Mr. Speaker.

[Motion carried; Bill 25 read a first time]

Tablings to the Clerk

The Clerk: I wish to advise the Assembly that the following document was deposited with the office of the Clerk: on behalf of the hon. Ms Phillips, Minister of Environment and Parks and

minister responsible for the climate change office, responses to questions raised by Mr. Loewen, hon. Member for Grande Prairie-Smoky; Dr. Swann, hon. Member for Calgary-Mountain View; and Mr. Clark, hon. Member for Calgary-Elbow, on May 3, 2016, Ministry of Environment and Parks 2016-2017 main estimates debate.

The Speaker: I noted a point or order was made at approximately 47 minutes by the Opposition House Leader.

Point of Order

Oral Question Period Time Limits

Explanation of Speaker's Ruling

Mr. Cooper: Thank you, Mr. Speaker, I rise today on a point of order with respect to order and decorum, Standing Order 13(2). "The Speaker shall explain the reasons for any decision on the request of a Member."

During question period today, Mr. Speaker, you took the opportunity to stop question period and reiterate a point that you had made yesterday on sub judice. I just have a couple of quick questions around that so we can seek to understand better. One, I'm curious to know if the clock is stopped during the time that you are providing a point of clarification around sub judice as for the last couple of days we have not reached into questions, where we quite often get to 14.

I fully recognize that the government was poorly behaved today, and that may have added to the delays in question period. Maybe the opposition was loud as well, so it may not have only been your interjection that provided that. But I'm curious to know if in the future you'll stop the clock.

The Speaker: So the question is time. Is that your very first point?

Mr. Cooper: Yes, that is my very first point.

The Speaker: And your next one?

Mr. Cooper: That if you have stopped the clock.

Then I might just add that there are other areas on sub judice. Perhaps we won't get into the debate around sub judice today, but for purposes of clarification, is the clock stopped during that time given that we've now heard that two times?

The Speaker: Hon. member, I really do not know the answer to that question. I believe it is not; however, to be confirmed, I'll report back to you on the matter tomorrow.

The Government House Leader.

Mr. Bilous: Deputy. Thank you for that promotion, Mr. Speaker.

I just wanted to rise to address this. First of all, I'm not sure if this is a point of order, quite frankly, Mr. Speaker, or if a point of order is the appropriate mechanism, as opposed to speaking to you outside of the House, when we're debating important matters.

But I just want to reiterate, Mr. Speaker – and I think it's worth while for members – that, as you pointed out, it's a long-standing convention that members should avoid excessive discussion of issues in litigation, particularly those which will likely be determined by the courts. Now, I recognize that primary responsibility does fall to members and to ministers to avoid such discussion. It's well written as the function of yourself, Mr. Speaker, your role, to remind members of this rule when a member seems to be trying to elicit a response on an issue that is to be decided by the courts. Quite frankly, I recognize first of all that the Premier did respond to the question, but at the same time I think

you are very much within your rights to remind the House of being very cautious when we are answering or asking questions.

The Speaker: Thank you, hon. member.

To the question asked with respect to the time issue, I'll address that tomorrow.

There is another point of order that I believe was yours as well.

Mr. Rodney: Just a question of clarification if I may, Mr. Speaker, and this will take a short amount of time. I appreciate that the previous question was asked to clarify if indeed the clock was stopped. We had a couple of stopwatches here yesterday and today, and we noted it. Mr. Speaker, you have every right – and I'm glad that you reminded all of us in the House about sub judice. That's very important. But it took three minutes yesterday, two minutes today, and I'm sorry to report that that meant two of our questions, which were, you know, important for our constituents, were not asked. That's my recommendation, that it's not . . .

The Speaker: Thank you. You're noted.

I must remind the House in its entirety that when those reminders are required, I do it in the best interests of this House. If you're concerned about the time, I would advise all of you to use the other time, which doesn't require my interpretation, in a more efficient manner.

The second point of order.

Mr. Cooper: Thank you, Mr. Speaker. I will withdraw.

The Speaker: Thank you.

Hon. members, I raised this question yesterday – I'm sorry?

Mr. Nixon: He just withdrew my point of order.

The Speaker: Yeah. We're agreed. I'm sorry. I didn't intend to raise the question of the name. I think it was obvious to all.

Privilege

Obstructing a Member in Performance of Duty

The Speaker: I mentioned the issue yesterday about giving a last point for the question of privilege which originated on June 6, 2016. I've now had an opportunity to consider the comments made by the House leader for the Official Opposition, which can be found on page 1572 of *Hansard* for yesterday. I have also been attentive to arguments made in the Assembly during the spring sitting and in written submissions, and I'm now prepared to provide my ruling on this matter.

Hon. members, you all will have had an opportunity to see questions of privilege argued in the Assembly and rulings delivered. As has been indicated on numerous occasions, questions of privilege are of a serious nature, not to be taken lightly. I tell you personally that I do not take them lightly. These questions are dealt with under Standing Order 15.

The Official Opposition House Leader met the procedural requirement of that standing order to provide notice of the question at least two hours prior to the commencement of the afternoon sitting by providing my office notice at 11:03 a.m. on June 6. I also confirm that June 6 was the first opportunity available to the House leader in raising this matter before the Assembly as he indicated that he had not heard the radio ad in question until the preceding Thursday afternoon.

2:50

I understand the facts of this matter to be as follows. Radio advertisements from the government of Alberta were aired on at

least one Alberta radio station as early as Thursday, June 2. The radio ad discussed the government's climate leadership plan and went on to explain that the transition will be made easier with energy efficient programs and cash rebates for households that need them. The ad then directed listeners to the website climate.alberta.ca. At the time the ad heard by the Official Opposition Leader aired, Bill 20, Climate Leadership Implementation Act, had not completed Committee of the Whole consideration.

The Government House Leader did not dispute the accuracy of the verbatim content of the ad as recited by the Official Opposition House Leader. I would also add that the Government House Leader was afforded the opportunity to comment on the climate.alberta.ca website, the contents of which were filed as Sessional Paper 217/2016. The website discusses, among other things, how, starting on January 1, 2017, the carbon levy will be applied to fuels at the rate of \$20 per tonne and how the levy will be increased in 2018 to \$30 per tonne. The website does go on to discuss how the levy will reinvest in the Alberta economy and how it will affect Alberta families and businesses.

At this juncture it should be pointed out that technically the matter before us now is a purported contempt of the Legislative Assembly as noted at pages 82 and 83 of *House of Commons Procedure and Practice*, second edition. I quote:

There are . . . affronts against the dignity and authority of Parliament which may not fall within one of the specifically defined privileges. Thus, the House also claims the right to punish, as a contempt, any action which, though not a breach of a specific privilege, tends to obstruct or impede the House in the performance of its functions; obstructs or impedes any Member or officer of the House in the discharge of their duties; or is an offence against the authority or the dignity of the House, such as disobedience of its legitimate commands or libels upon itself, its Members, or its officers . . . In that sense, all breaches of privilege are contempts of the House, but not all contempts are necessarily breaches of privilege.

While the Official Opposition House Leader made an argument that the matter at hand also constituted a question of privilege in that the actions of the government were an attempt to influence the vote or actions of him or other members, of this I have not been convinced. I am persuaded by the Government House Leader's argument that members were not prevented from doing their duty as a result of the information contained within the ads. Therefore, I will proceed to consideration of the matter solely as a purported contempt of the Assembly.

This is not the first time during the Legislature that this particular variety of purported contempt has been raised. My November 2, 2015, ruling was cited by the Official Opposition House Leader in his arguments on June 6. That ruling can be found on pages 400 to 401 of *Hansard* for that day and concerned a news release issued prior to the delivery of the Budget Address. Members may recall that I did not find a prima facie question of privilege in that case, but I did caution the government not to prejudge the actions of the Assembly or its committees in the future.

On a matter similar to that one that I ruled on last November, a prima facie question of privilege was found by Speaker Zwozdesky on December 2, 2013. In that ruling, which concerned brochures published by the government at that time, Speaker Zwozdesky made reference to prior rulings from the federal House of Commons and the Legislative Assembly of Ontario, which are likewise relevant to the matter under consideration here today.

Members will note that an important factor in the determination of these matters has been whether Speakers have previously cautioned governments of the day on their activities in what may be

a well-intentioned attempt at informing the public but, in fact, prejudices the decision of the Assembly or its committees.

I note the following passage from the Ontario ruling of January 22, 1997, where at page 1420 of *Hansard* Speaker Stockwell stated the following when considering a ministerial pamphlet discussing the government of Ontario's program for reforming municipal government in metropolitan Toronto:

In my opinion, [the claims of the brochure] convey the impression that the passage of the requisite legislation was not necessary or was a foregone conclusion, or that the assembly and the Legislature had a pro forma, tangential, even inferior role in the legislative and lawmaking process, and in doing so, they appear to diminish the respect that is due to this House. I would not have come to this view had these claims or proposals – and that is all they are – been qualified by a statement that they would only become law if and when the Legislature gave its stamp of approval to them . . .

It is not enough for yet another Speaker to issue yet another warning or caution in circumstances where the wording and circulation of the pamphlet appear on their face to cross the line. I say in all candour that a reader of that document could be left with an incorrect impression about how parliamentary democracy works in Ontario, an impression that undermines respect for our parliamentary institutions.

It's clear from the radio ad and the information presented on the website that the government communications concerning Bill 20 discuss the bill as if it had already been passed into law while, in fact, the bill was still under consideration in Committee of the Whole. It shows disrespect to the legislative process to presume that the passage of a bill in the form in which it was introduced in the Assembly is a foregone conclusion. There must be a balance and timeliness between the government's need to communicate information about its policies and programs to Albertans and the role of the Legislative Assembly to consider and debate any legislation required to implement these programs. While the government may certainly communicate its initiatives to the public through advertisements or online information, the distinction between the executive and the legislative branches of government must be respected.

I have concluded that the content of the radio advertisement as well as the government website, from which an excerpt was tabled on June 6, 2016, as Sessional Paper 217/2016, contain statements presenting the government's program concerning the carbon levy and associated rebates as fact when in actuality they were contingent upon passage of Bill 20 in the Assembly. The website outlines what the carbon levy and the rebates will do and contains no qualification that this is subject to the approval of the Legislature. I've no doubt that the government had good intentions in advising Alberta of the provisions and future impact of Bill 20, but at the same time the relevant radio ads aired, the bill had not passed through the necessary stages in the Assembly.

3:00

There are ways it can be communicated without presuming a decision of the Assembly. Members may note, for example, in my ruling on November 2, 2015, on page 400 of *Hansard* that day that I drew all members' attention to the choice of the language used by the Minister of Finance during the delivery of the Budget Address, wherein he noted that the government would be proposing a salary freeze for cabinet ministers and MLAs. Although a news release issued at the same time as the Budget Address was more ambiguous, one might say that the use of the word "propose" in the address itself was the saving grace for the government with respect to that question of privilege raised on October 28, 2015.

I have noted the Government House Leader's argument that the changes respecting the carbon levy and associated rebates were framed as part of the overall climate leadership plan. This bears some similarity to the brochure referenced in Speaker Zwozdesky's December 2, 2013, ruling, which was titled The Building Alberta Plan. Nonetheless, in that case the content was deemed to prejudice the decision of the Assembly and its committees.

In this case pursuant to Standing Order 15(6) I find that there is a prima facie question of privilege, which may be called a question of contempt, as the dignity of this Assembly was offended by the actions of the government in publicizing certain aspects of Bill 20 and presuming its passage prior to the bill making its way through the legislative process.

I would recognize the Deputy Government House Leader to inquire if he has any statements to make.

Mr. Bilous: Thank you, Mr. Speaker, both for your ruling and guidance, and I want to thank the members opposite for bringing this matter to our attention. This government would never, under any circumstances, want to offend or obstruct the dignity of the House, and as such I'd like to offer my sincere apologies to you and to all members of the Assembly. It was not our intention to imply that Bill 20, the Climate Leadership Implementation Act, was passed, and I regret if that impression was made to any member of this Assembly or to the public. We will endeavour to ensure that the choice of words in the future is more reflective of the legislative status of any bill.

Thank you, Mr. Speaker.

The Speaker: Thank you. I appreciate you taking the responsibility and leadership on apologizing to the House, and I want to remind the government again to please be cautious of this in the future. I consider the matter closed.

Mr. Cooper: Point of order.

The Speaker: Point of order. Yes.

Point of Order

Explanation of Speaker's Ruling

Mr. Cooper: Thank you, Mr. Speaker. Again on Standing Order 13(2): "The Speaker shall explain the reasons for any decision on the request of a Member." I have a request to make of the Speaker. It seems to me that what has happened is that the government has been found in contempt on a breach of privilege for which the minister gave a very eloquent apology. Seemingly he was aware that he was going to be found in contempt and provided a prepared statement as an apology, which for the record I have a hard time accepting because they have been warned on numerous occasions by you and by previous Speakers. There seems to be a systematic problem inside the bureaucracy that this issue ought to be referred to Privileges and Elections, Standing Orders and Printing, not dealt with based upon the Deputy Government House Leader's apology, that was clearly prepared prior to today.

I'm hoping, Mr. Speaker, that you can explain your ruling and how it's possible that they've been found in contempt of parliament and a simple apology is acceptable.

The Speaker: Hon. member, I just read a statement on my ruling, which was, I believe, quite extensive. I cannot speak to why the government and particularly the Deputy Government House Leader had a prepared statement. I believe he must have concluded that there was considerable exposure on behalf of the government of the

actions that they took. If there are any other suggestions – I cannot contemplate why and how the government arrived at that point. I would hope there's no expectation that I would have.

I think past precedence has said that a member is free to provide notice of a motion referring the matter to committees. However, since an apology has been given, the matter is concluded. As a reference I note Speaker Zwozdesky's discussion on this matter, found on page 3234 in the December 2, 2013, *Hansard*, in which he rules that a matter of privilege is concluded once an apology is offered. That's the reasoning.

Orders of the Day

Government Bills and Orders Second Reading

Bill 24

Forest and Prairie Protection Amendment Act, 2016

The Speaker: The hon. Member for Red Deer-North on behalf of the hon. Minister of Agriculture and Forestry.

Mrs. Schreiner: Thank you, Mr. Speaker. On behalf of the Minister of Agriculture and Forestry I move second reading of Bill 24, the Forest and Prairie Protection Amendment Act, 2016.

Mr. Speaker, I'm happy to rise today for the second reading of Bill 24, the Forest and Prairie Protection Amendment Act. The main objective of this bill is to enhance wildfire prevention, enforcement, and operational activities with the key focus on reducing the risk of human-caused fires. Historically the number of lightning-caused wildfires has outnumbered human-caused wildfires; however, the trend in recent years shows a significant increase in the number of human-caused incidents. Would it surprise you to learn, Mr. Speaker, that approximately 70 per cent of wildfires over the last five years have been linked to human activity? That's why this government must continue to put Albertans and their communities first, and the amendments to this act will do just that.

Yesterday the Premier rose in the House and recognized those who worked tirelessly protecting Albertans during the Fort McMurray wildfires. The people of Alberta and their forest resources deserve to be protected from the carelessness that contributes directly to more than two-thirds of wildfires we see each year. Each one of these wildfires is one hundred per cent fully preventable, Mr. Speaker, and through legislation like the Forest and Prairie Protection Amendment Act we can give our wildfire experts the tools they need to bring that number down to acceptable levels.

3:10

The amendments we propose are supported by recommendations made following reviews of major wildfires such as the 2011 Slave Lake area wildfires as well as learnings from the last two wildfire seasons, which include the devastation that occurred in Fort McMurray earlier this year. The amendments can be grouped into three broad categories: enhanced fines, improved public safety and wildfire prevention measures, and operational amendments.

Fines. The proposed amendments would increase maximum fines for major offences and new penalties would focus on both industrial and individual violations. Penalties would occur for industrial offences like not having sufficient firefighting equipment on-site, to encourage improved compliance. New provisions in this act would give people like peace officers, forestry, fish and wildlife, and conservation officers as well as the RCMP the ability to hand out tickets for careless use of fire on Alberta's landscape. Those found burning without a permit, leaving a campfire unattended, or burning

during a fire ban or restriction could see themselves with a ticket from between \$150 and \$1,000.

The proposed increase in maximum penalties for major offences would help to deter reckless and irresponsible behaviour and remind Albertans that burning in the forested areas of the province comes with risks and responsibilities. It would also bring the fine levels in line with penalties issued under comparable Alberta legislation as well as similar wildlife legislation in British Columbia and Saskatchewan.

Public safety and prevention. In terms of public safety and prevention activities the proposed amendments include provisions that would improve our ability to restrict specific recreational activities that cause wildfires during hazardous wildfire conditions. In the same way we impose a fire ban when forests are tinder dry, we would have improved authority to restrict the use of off-highway vehicles, or OHVs, during the high fire-hazard conditions.

Mr. Speaker, I was surprised to learn just how easily OHVs can cause wildfires. Debris can easily be caught up in the hot spots of the vehicle – under the seat, near the engine, and near the exhaust – and then become superheated. On high to extreme fire-hazard days with only a little bit of wind that superheated debris can drop down onto the ground behind the OHV and start a wildfire. Restricting off-highway vehicles during these periods of extreme danger will go a long way to reducing the hundreds of OHV-related wildfires we've seen over the past number of years.

We also have improved authority to stop actions which interfere with fighting wildfires, including the restriction of drones, which make it unsafe for water bombers and helicopters to work on wildfires. We have seen in recent years the increased use of unmanned drones here in Alberta on wildfires and in our partner wildfire agencies across North America. As soon as a drone appears on a wildfire, all aircraft must immediately land or be diverted as a safety precaution. Much of our firefighting ability in this province is done by aircraft. Prohibiting interference with wildfire operations by drones on wildfires will help our firefighters because if you fly, we can't.

The enhanced prevention measures in the act strengthen the obligations for industry to assist in preventing wildfires.

Operational amendments. The operational amendments will further enhance firefighting activities by clarifying operational processes, roles, and responsibilities.

As the climate continues to change, we've seen our fire seasons become longer and wildfires become more intense. The March 1 start to the fire season has been established by ministerial order each year for the past five years in response to recommendations from the 2011 Slave Lake wildfires. We propose the officially designated start of the fire season be set at March 1, which is one month earlier than the April 1 date that is currently set out in the legislation. This ensures that spring wildfire preparations are well under way and our wildfire personnel will start the fire season ready to fight fires.

In conclusion, Mr. Speaker, I am confident that the proposed amendments will have a strong level of public support. Wildfire prevention and protection continue to be on the forefront of the minds of Albertans in the wake of the devastating fires in the communities of Fort McMurray and Slave Lake. As a result, the general public will be receptive to new measures aimed at reducing the wildfire risks to communities and enhancing the province's ability to combat wildfires.

An open, public survey conducted this spring also solicited input from the public as well as key stakeholders that included first responders, municipalities, indigenous people, industry, recreational associations as well as other affected groups. The survey responses indicated strong support for the proposed enhancements to the legislation and regulations, which were viewed as an effective

means to reduce wildfire risk and increase accountability and compliance across Alberta. The proposal to increase fines, for example, was supported by 96 per cent of respondents.

Mr. Speaker, I am proposing that the amendments to the act be passed through this House with the subsequent regulatory changes completed in the following months. The goal is to have all of the new measures in place before the beginning of next year's fire season, on March 1, 2017.

That concludes my comments, Mr. Speaker. I ask all members in the House to support this bill and support the hard-working wildfire professionals across the province who protect Albertans from the threat of wildfires.

Thank you.

The Speaker: The hon. Member for Drumheller-Stettler.

Mr. Strankman: Thank you, Mr. Speaker. It's a pleasure to rise today to also give my input to Bill 24, the Forest and Prairie Protection Amendment Act, 2016.

Kudos go to my colleague from Red Deer-North on her introduction of the bill. She also gave a marvellous member's statement today, and I compliment the member on that.

3:20

Mr. Speaker, I think it's important that we recognize the exact title of the bill because it talks about forest and prairie protection amendment here in our legislation going forward. As you know and as you've seen in recent events in the Chamber, we live and die by the exact wording of what we say in this facility, here in the Chamber, sir. It's an honour to try and effect some of that professionalism as we go forward.

This act is one that deals with legislation dealing with forest fire rules and regulations. Mr. Speaker, this is a timely piece of legislation given yesterday's events in the rotunda, which I attended. It was a heartfelt moment, the wildfire first responders and local heroes recognition event. My thoughts not only went out to the community of Fort McMurray but to all those resilient people who faced untold hardships and uncertainty during the evacuation and the many that continue to face them today.

In fact, Mr. Speaker, I had the honour to be visited in my home, actually, by a member, and I don't think it's inappropriate to mention his and his wife's names. Mr. Gary Exner and his wife, Bev, attended our home to express their personal appreciation for their temporary summer residence in the community of Stettler that they achieved. It was an honour to meet those folks.

Mr. Speaker, again, listening to those speeches yesterday and seeing again the raw emotion still close to the surface was a touching moment. The praise heaped upon those first responders and local heroes is richly deserved. Their leadership and conduct was not only admired and celebrated here in Alberta but all over Canada and the world at large. It's the bold but compassionate Alberta way.

In 2011, when a tragic fire struck the town of Slave Lake, numerous reports and recommendations came out of this disaster. One of note was the Flat Top Complex review. Within that report were recommendations that towns and cities adopt FireSmart policies to help such catastrophes from reoccurring. Specifically, it was recommended that

various actions were taken to reduce fuel loading in the Slave Lake area prior to the Flat Top Complex, however, more could have been done. Considering the rapidly increasing number and severity of wildfires in Alberta, there is the need to increase wildfire prevention initiatives.

In fact, the town of Slave Lake and the province invested millions of dollars retroactively fire-smarting the town. The FireSmart

program has proved so vitally important to the town of Slave Lake that the town is considering asking for a permanent \$4 million FireSmart training centre.

Mr. Speaker, we in the Wildrose have heard first-hand how adopting some of those FireSmart recommendations was instrumental in saving private property in what's now known as the Horse Lake fire earlier this year. These practices have been seen to help communities deal with the threat of forest fires by taking some positive, proactive measures. I can only hope that the government realizes the intrinsic value of this program and invests in it accordingly in the future.

Positive lessons continue to be learned from any such events, and we can only hope that government reports that come from looking at all aspects in regard to the Fort McMurray or, as some describe it, the Horse Lake fire produce more recommendations that are adopted going forward. These reports can be very helpful in how we attack these fires and defend our communities from future fires.

While it is unknown what will be in those reports, concerns have been brought forward both from the public and industry. Topics such as: was the fire fought in the initial days with every strategic resource available? Were there enough trained firefighters, effectively, boots on the ground? Was the fire fought at first light when the temperature is the coolest, humidity is the highest, and winds are at their lightest? Additional comments included: is there a mandate for fighting fires close to populated areas until it is completely under control versus a passive approach dependent upon circumstances?

All of these questions and more, I suspect, will be asked and answered in the coming months, as information is gathered from these reports. In no way would I or anyone want to insinuate or lay blame on the heroic efforts of those on the front line who were involved directly during the events of the Fort McMurray, Slave Lake, or any other catastrophic fire incident. As we know, a fulsome examination of past events is how we obtain valuable information, and those lessons learned will make fighting future events a more effective endeavour.

In fact, Mr. Speaker, if I could embellish on that subject, as a light plane aficionado and pilot for some 35-plus years I know that the Department of Transport sends out to those involved with licences of many kinds national transport safety reports stemming from transport accidents similar to that which, unfortunately, took the lives of several, including former Premier Jim Prentice, in British Columbia recently. I'm looking forward to those reports so that as aviators we can all learn from those types of incidents so that they never happen again. If the automobile transportation industry would look into something like that, I think that would be effective for reducing motor vehicle transport accidents across the country.

Mr. Speaker, turning my attention back to this piece of legislation, known in this Chamber as Bill 24, it has on appearance certain housekeeping changes that it is our job on this side of the House to exercise what I would call proper due diligence. That being said, I have a few concerns about certain aspects of these changes.

While it is understood that in recent years of drier winters the fire season has been starting earlier than in the past, it is always advantageous that fire operators are prepared well in advance of the fire season. A change to the fire season, in fact, moving the start from April 1 to March 1, as laid out in section 17(1), is one such change. Now, the minister in section 17(2) of the act always had the power to move the fire season's timeline around. So while it may be redundant, I can accept the thought process behind this move.

What I have difficulty accepting is the fact that with the changes you have not increased the length of the season, from which begs

the question: how will this change affect firefighting contracts? We saw last year that this government chose to shorten air bomber contracts, ending them earlier than in previous years. If the season is starting an additional month earlier, will this mean that we may have even fewer resources later in the season? Will there be any provisions for flexibility in this regard?

Despite assurances last year there was much consternation within the industry, Mr. Speaker, and we met with some of those affected contractors. What happens if we have a long, hot summer? We had a situation last season where, despite reciprocal agreements with other jurisdictions, some resources were already unavailable to us when they were needed. I've heard in the Chamber the government's reassurance that they will stand by Albertans in the case of funding and the requirements necessary and fully accept that. Will this government ensure that we won't have fire contractors heading south or to other jurisdictions if a shortened contract offered here will be less financially viable than pursuing contracts of a larger length elsewhere?

These questions, Mr. Speaker and to members of the Chamber, are very important and need answers.

3:30

Another concern pertains to a section later in the act about fire control plans moving from being ordered by the minister to being ordered by the officer. In the section Fire Control Plans this bill says the following, and I quote again, Mr. Speaker, section 23:

(1) A person carrying on or having charge of an industrial or commercial operation on public land or within one kilometre of any public land shall at the request of a forest officer submit a fire control plan satisfactory to the forest officer, within the time determined by the forest officer.

(2) If a person referred to in subsection (1) fails to comply with the request of the forest officer within the time determined by the forest officer, the Minister may, by order, suspend the industrial or commercial operation of the person until a fire control plan satisfactory to the forest officer has been submitted to the forest officer.

It seems a bit vague on what defines an industrial or commercial operation within one kilometre of public land. Does that include a family farm next to Crown land, a taxidermist running a shop out of his acreage? I personally ranch public prairie land, and I have no inkling how I could contact a forest officer. I would challenge you, Mr. Speaker, in your constituency: how would you contact a forest officer to submit a fire control plan, never mind a satisfactory plan dictated by that officer? While this may seem as nitpicking, in this legislation it is important that we as those legislators see that there is no room for any potential overreach. The potential for an arbitrary decision of, to quote from the act, a "forest officer" having a negative impact on someone's livelihood is too great to be left to vagueness, and I'm sure, hopefully, my colleagues would agree.

Another concerning area is within section 31.4, where it talks about, Mr. Speaker, diseased and infected products and which used to say "product" but has been expanded to the direct word "thing" so that it would now read: "a forest officer may, without a warrant, seize any thing that the forest officer has reasonable grounds to believe harbours a forest pest." While this part used to refer to a product, which is vague – but it probably isn't a large leap of logic to understand they mean a wood product – the government is now replacing this vague term with the word "thing," an even vaguer term, although possibly in a prairie environment there may be some interpretation of the word "thing," but I'm anxious to understand what that might be. It reminds me, Mr. Speaker, of a B-class horror movie that was entitled *The Thing*.

With all due respect, the use of the word "product" would have been much more acceptable than the term "thing." Why wasn't this

term changed to “forest product” or simply just left as it was? I’d be open to hearing a concrete explanation for the reasoning for the substitution.

Mr. Speaker, I hope members opposite and the government and even members on this side of the Chamber would understand that I don’t wish to tear apart this document simply to oppose it, and that’s my position. We as diligent legislators have a duty to work for the betterment of all Albertans. There is no malice or ill intent intended today. There is much in this bill that is absolutely needed and some that needs to simply be tweaked, which is why we go through this process. While I have doubts that any of these changes would have prevented incidents such as the Slave Lake and Fort McMurray fires, I am inclined to tentatively support this bill provided that my concerns and others that may be brought forth are addressed through simple amendments to the bill.

With that, I thank you, Mr. Speaker, for allowing me the time.

The Speaker: The hon. Member for Grande Prairie-Wapiti.

Mr. Drysdale: Thank you very much, Mr. Speaker. I’m pleased to rise today to speak to Bill 24, the Forest and Prairie Protection Amendment Act, 2016, a bill that aims to enhance the ability of Alberta to fight and prevent forest fires in this province.

To begin with, I’d like to take a moment to acknowledge the strength shown by the people of Fort McMurray in dealing with the unimaginable tragedy caused by just such a wildfire. To see your homes, your possessions, and your livelihoods be consumed in such a terrible blaze must truly be a horrific and traumatic experience, and the grace shown by the residents of Fort McMurray and the surrounding area is truly an inspiration.

I would also like to acknowledge the incredible work done by our first responders and emergency management teams. Without their tireless efforts this terrible tragedy could have been far, far worse. So we are here today to do our part as legislators to make sure that all possible measures are being undertaken to prevent forest fires and that we’ll also equip our first responders with all the necessary tools to ensure their safety and the safety of those they put their lives on the line to protect. I am pleased the government is bringing forward legislation to this effect.

The government is proposing this legislation to bring forward the start of the fire season by one month. That will make the start of the fire season March 1 as opposed to April 1. I believe this is a good move, a move that recognizes that the fire season in Alberta can be as unpredictable as the weather, which all Albertans are aware makes it very unpredictable indeed. This move will give our fire management teams more flexibility in marshalling their resources to combat and, more importantly, prevent large and dangerous wildfires, so I expect this amendment will be well received by the agencies responsible for fire protection as well as all the municipalities, property owners, and wilderness enthusiasts that are threatened by wildfires.

Now, I understand that there are a number of provisions that were part of a consultation this spring that are missing from the text of the legislation. I’m referring to the provisions that dealt with debris removal, energy extraction, agriculture, and recreational use, amongst others. I believe a number of these provisions are expected to be dealt with through the use of regulation, and that seems reasonable. What I’d like to see and what I think a lot of Albertans would like to see is the government begin to release early drafts of what exactly these regulations are going to look like. With legislation like this, that concerns the safety and security of a great number of Albertans, the more discussion and transparency we can deliver, the better.

There are Albertans in the province that are eager to ensure that this government has taken to heart the important lessons of the Fort McMurray wildfires. My colleagues and I are eager to see that as well so that we can be part of the discussion to do our part to avert future disasters of this nature. So in the spirit of having conversations about how to best protect the Albertans we serve, I believe our caucus will be bringing forward some technical amendments to the Committee of the Whole. But as a caucus we are generally supportive of the government in this initiative, which we hope will help put Albertans’ minds at ease.

Thank you, Mr. Speaker.

The Speaker: Are there any questions or comments to the Member for Grande Prairie-Wapiti under 29(2)(a)?

Seeing none, the Member for Peace River.

Ms Jabbour: Thank you, Mr. Speaker. I’m very pleased to speak to this bill and to offer my support and hope that all members here in the House will also support it. It’s definitely overdue.

I just wanted to comment on moving the season up to March 1. This is actually something that’s been in place now for several seasons, but it required an order in council to do that, so now the legislation is simply enshrining that. The reality is that with climate change we are seeing earlier springs and hotter springs, and this is something that’s been needed for a few years now. This simply makes it a formal process that we can now go forward on.

3:40

This legislation in particular is really important to my constituency. That’s for a number of reasons. We had our own fire scare earlier this spring when a lumber yard located very close to the town of High Level had a fire among some of the product in the yard, and thankfully the very quick and astute work by the High Level fire department managed the problem. Otherwise, had the wind changed direction the way it did in Fort McMurray, we would have probably lost the town of High Level, so it’s important to us that we have good fire legislation and that we have good protection for those kinds of things.

Forestry is a big part of my constituency. It’s one of our key industries, and the lumber yards where the forest industries operate have what they call hog piles. One of my companies has a bit of a backlog, so recently, in an effort to have a dialogue with them on how we can find some creative ways to deal with this backlog, they took me on a tour of this hog pile. What it is is waste bark, it’s sawdust, it’s all kinds of stuff that they can’t use, but most of it does get recycled and turned into pallets, other things. But for the moment this pile was starting to grow, and I couldn’t believe that when I went on this pile, it’s actually smoking. It’s like a giant compost pile, really, and it’s generating a great deal of heat. This was something I didn’t realize until I saw this, that actually it could be a fire hazard, so it needs to be monitored.

That’s why I’m glad to see that in the amendments there is going to be some alignment over industrial waste so that companies have a target that they have to work for to make sure that they’re cleaning up this industrial waste and that the penalties will be increased should companies not be responsible. Mine are, fortunately, all very responsible and doing their very best, but it’s something that does need to be cleaned up in a timely manner. The legislation also allows for an appeal, so should there be a concern or some reason why the cleanup can’t occur in a timely manner, the companies do have the option to appeal.

Another area where it’s important to my constituency is the agriculture industry. At certain times of the year you literally can’t see the highway because of smoke and fog because the farmers are

clearing land and burning. They are required to get permits, but sometimes they're burning when they're not supposed to be burning. So the legislation will help by increasing the fines and giving a little more teeth to those who are enforcing the legislation to make sure that everybody has a permit and they can only burn when it's safe to do so.

Another area where it's important to my constituency is with the off-road vehicles. In the north that's kind of what everybody does. Everybody's got an off-road vehicle. Even little kids have theirs. It's quite amazing. But earlier this year there were a lot of complaints when the minister and the department had to say: sorry; no more off-road vehicles right now because it's too dangerous. People just didn't understand, so I think that with this legislation it's going to help raise some awareness as to why there are times when you simply cannot use these vehicles because it's just too great a risk.

Of course, I have a personal reason because I love campfires. I go camping, and there's nothing more frustrating to me than when we've got a fire ban and I can't go and sit out there and tell scary ghost stories with the grandkids around a campfire. But, again, you know, if I'm careless and leave that campfire burning, then I've got to be careful of that. It astounds me that 70 per cent of the fires in this province are human caused. I just think that's unacceptable and unbelievable, and while the majority are probably accidental – I know there are some that are deliberate, even in my constituency – again, we need legislation to deal with that. You get a few fines for not putting your campfire out, then the next time you're going to make sure you put it out before you go to bed. I think that's really important.

The public awareness and education piece is going to be huge as part of this legislation, so I'm looking forward to seeing how that's going to roll out. I think it's going to be a very positive thing.

I just wanted to add a little bit of a comment on some of the comments that the hon. Member for Drumheller-Stettler said about change of language. Seizing any "thing" – you know, when I look at what's out in these lumber yards, I think it's really limiting to just call it "product" because there could be a lot of things there, so I think that the language actually broadens that and makes it a little bit easier for the forest officer to interpret what might be subject to a fine.

With that, I'll conclude my comments. I just want to say that I really hope that we'll get lots of support on this. It's a great piece of legislation and overdue, and I'm really pleased that the minister has brought it forward for us.

Thank you.

The Speaker: Thank you.

Are there any questions or observations under 29(2)(a) to the Member for Peace River? The Member for Drumheller-Stettler.

Mr. Strankman: Thank you, Mr. Speaker. To the Member for Peace River. I understand that possibly her representative jurisdiction may be somewhat different than mine, so I wanted to see what her thoughts were on the terminology of the legislation where we talk about the prairie.

Ms Jabbour: Sorry, I didn't catch that last word, when you talk about the . . .

Mr. Strankman: Prairie.

Ms Jabbour: Oh, the prairie. You're right, yes. In fact, until you brought that up, I hadn't really considered how that would affect the prairie land, but definitely, you know, the fire that's smoldering right now in Fort McMurray is underground, so I know the prairie

can be subject to that as well. I think it's important that the terminology does recognize that it covers both forest and prairie and that it's comprehensive in that way.

The Speaker: Any other questions or comments under 29(2)(a) to the Member for Peace River?

Seeing none, I recognize the Minister of Municipal Affairs.

Ms Larivee: Thank you, Mr. Speaker. I rise in very, very strong support of this bill for many reasons that are very personal to me. In May 2011 I experienced something that nobody should have to go through and shared that experience with my whole, entire community at that time, surrounded by wildfires on all sides despite the fact that there are three highways leaving Slave Lake, or three different directions. All three were blocked by fire. My baby girl at that point in time and my father and I were in Slave Lake and weren't sure when we were going to be able to go, how we were going to be able to go. Of course, we were surrounded by many other individuals in that scenario.

When finally the RCMP said I could go, I drove past my community, and I saw the southeast quadrant on fire. It's not a superhuge town. I saw it, and I saw so much devastation, so much that had been burnt already. At the time I thought that I would never be able to return again. I thought my community was going to burn to the ground.

Thankfully, Mr. Speaker, due to the heroic efforts of the wildfire fighters despite the gusting winds, which created such incredible conditions that nobody could have anticipated, despite that – you know, it caused such a trauma for people to be driving through fire, to be driving through smoke, the effects that there were on children. Imagine these little kids driving through the fire thinking that they were going to die. That was the experience of people in Slave Lake when they left and the trauma that every single person in Slave Lake went through because they had to leave that community under threat of their life. Now, that kind of event we need to prevent. We need to make sure people don't have to go through that again.

Mr. Speaker, five years later I left this House to find out that the same thing was happening to people in Fort McMurray. I had to watch and hear all of the stories and imagine and see once again thousands upon thousands of individuals going through the same thing that the people in my community had to go through. People at the last second – again, conditions far beyond anything anyone could have anticipated led to a situation, because of a forest fire, in which those people had to leave their community not sure if they were going to make it, not sure what was happening to their friends and their family members, dealing with all of that, having to leave their community. Once again a whole, entire community was traumatized by that experience.

Both of those were spring fires. The majority of fires that happen in the spring are due to human causes, so we need to do everything we can to make sure Albertans do not cause fires that lead to the kind of trauma that happened to Albertans. We will never prevent every forest fire, Mr. Speaker, but if there's anything that we can do that can stop people from going through what the community of Slave Lake went through, what the community of Fort McMurray went through, I feel that our House is absolutely bound to do that in order to ensure that Albertans should not have to go through that if at all possible.

3:50

Certainly, those events reminded us of the importance of investing in programs that reduce the risk of wildfire. Mr. Speaker, there were a number of recommendations that came out of the Slave Lake fire, and there were many, many actions taken in response to

that. Out of the Flat Top recommendations we now have more firefighters available to protect homes and communities than before. We actually have 40 per cent more firefighters now than in 2011.

As stated, we have, without the legislation in place to ensure it, begun the fire season a month early, in March, in order to ensure burning restrictions and that early start for crews. Of course, also, the FireSmart program has continued to be supported in recognition of the prevention with that. The Wood Buffalo municipality is a great partner of FireSmart and has been engaged in that. We also have improved our wildfire response through fire information officers in 10 province-wide locations.

Now, Mr. Speaker, you know, just back to FireSmart, I'd like to say that there's actually been a substantial investment in FireSmart, and we're thankful for the work the Forest Resource Improvement Association of Alberta is doing in terms of getting those dollars out in terms of vegetation management and educational programming.

So, Mr. Speaker, there is a lot of work that has been done, and I know that we are doing similar studies after Fort McMurray. I know that we will listen to those recommendations. We will move forward on those recommendations once we know what they are, and I look forward to hearing them and supporting them going forward.

Now, we have done all of that, but it is time for us to update the laws of this province to reflect those recommendations. It's time to strengthen Alberta's wildfire protection laws to enhance wildfire prevention activities and support the efforts of our wildfire fighters to keep Albertans and their communities safe. The world is changing, Mr. Speaker. The reality is that it's a longer, drier fire season. The risk is increasingly a challenge to all of us, and it is incumbent upon us as a House to do what we can to do that.

Certainly, restricting activities that human beings do, that Albertans do that would potentially cause a wildfire when fire conditions are hazardous should be a pretty straightforward option going forward that I hope everyone in this House can support. The idea that there may be actions that people are taking that would interfere with firefighting such as drone activity: you know, absolutely, there's nothing, Mr. Speaker, that should be getting in the way of wildfire fighters that are protecting people or are working to protect people, to protect our businesses, to protect industry in this province. Ensuring that we have very clear processes, roles, and responsibilities in place is absolutely essential.

Again, the amendments that we're bringing forward are supported by the recommendations and reviews of major wildfires that were done. Human-caused wildfires are a hundred per cent preventable, Mr. Speaker, so it's time that our legislation caught up with this to ensure that we do everything that we can to prevent that from happening again. I have to say on behalf of the people of Slave Lake – and I'm sure that Fort McMurray people would say the same – that, absolutely, there is tremendous support from people right across this province that watched it happen to all of us to ensure that this doesn't happen again. If there's anything that we can ever do, this is a very important measure to avoid the kind of mass community trauma that happened in Slave Lake and Fort McMurray.

Thank you so much.

The Speaker: Hon. members, are there any questions to the Minister of Municipal Affairs under 29(2)(a)?

Seeing none, I would recognize the Member for Lacombe-Ponoka.

Mr. Orr: Thank you, Mr. Speaker. The tragedy of mass fire is unspeakable, so we truly must do all that we can to prevent fire, to

prevent the growth of these fires, and emotion and handwringing clearly is not enough. I fully applaud the intent of cleaning this act up, of renewing the language, of adding a bit for enforcement, but I really think that there's a lot lacking here. There's a lot that should have been dealt with.

Also, just a couple of concerns that I have. I guess one of my most important concerns is in section 23(2), where we give the definition or the understanding of a fire control plan to the utterly subjective opinion of a forest officer. Now, I have two problems with that. One is that it's very subjective. It just says "satisfactory to the forest officer," but there's no standard cited. There's no regulation to guide that forest officer as to what is satisfactory. There are no definitions of what a satisfactory plan would look like. There's no template of what a plan would look like. I think this is extremely subjective, and in that regard I think it's going to lead to conflict and dangerous issues.

Furthermore, I think that to give that kind of subjective and discretionary power to a forest officer, which is a change from the previous act, which stated "the Minister," is a significant change. To give that kind of subjective decision-making power to one of the civil servants of the province who is not accountable to the people, who does not have the public awareness of the minister I think is dangerous. Changing it from "the Minister" to "forest officer" causes me concern.

I also think that in 26(1) it's the same situation. It says: "Where a forest officer finds on any land conditions that the forest officer considers to be a fire hazard." Well, again, that's extremely subjective and onerous. Again, no standard, no regulations, no definitions, no indication of what one person might feel is and what another feels isn't.

Then I'm also a little bit concerned about an absence. There's no provision or requirement in this update of the act for the province or a municipality to have the permission or the authority to create and maintain fireguards around communities.

My friend from Rimbey-Rocky Mountain House-Sundre has a community that I'm afraid may be the next major fire area, Rocky Mountain House. If you've ever been there, there are forests all the way around and through and in the middle of that community. I also know that in the past the department of forestry has itself refused permission to cut provincial forests as fireguards. I'm afraid that that will happen again, where permission to municipalities or communities to actually create fireguards around their communities will in fact be refused by the department. I think that's something that should have been addressed in this particular update of the legislation.

The last thing that really troubles me is the removal of section 40, replacing it with 40 and 40.1, and that is that there is now no recourse on the part of citizens with regard to the administration of any of this law. It says that "no action lies and no proceeding may be brought against." We are denying the rights of citizens when we write this kind of law. I know it's become fashionable in the last few years, even reaching back into the previous government, to make it easier for administration to just do what they want to do and to allocate power to themselves while denying the rights of citizens to challenge that. There is a loss of accountability when you deny citizens the right of recourse or proceeding even if, as that particular 40.1 goes on to say, they have done it "in good faith."

I fully understand that oftentimes people may act in good faith, totally, truly good faith, but they misunderstand the situation, they misinterpret the law, especially when you grant the authority to a subjective level, to a forest officer who can do what he personally considers to be right or acceptable, a very subjective decision, and now there is no recourse to even question his personal, emotional, subjective decision on that. It's a return to medieval feudalism. It's

a return to a denial of the right of citizens to challenge what government does. Either that or it's a move – and I suspect even from the previous government, moving on, as I said, it's fashionable to be moving toward a more authoritarian, dictator style of government. It's not democracy when you remove the rights of citizens to recourse.

4:00

I think that the law needs to be carefully considered and looked at. It's extremely strong in those couple of items, and it's missing a couple of other points that I wish would have been included. Personally, I would like to see this go to committee. I think the intention is good. I think that it does need to be looked at, but I think there are serious considerations, and I would see that it be moved to committee so that it could be made even better than it is.

Thank you, Mr. Speaker.

The Speaker: Are there any questions or comments to the Member for Lacombe-Ponoka under 29(2)(a)? The hon. Member for Banff-Cochrane.

Mr. Westhead: Yes. Thank you very much, Mr. Speaker. I listened to the previous speaker with interest, and I just had a few questions for him. He mentioned the firebreaks around communities and his concern about how those things will be managed. I wonder if he's familiar with the FireSmart program. I wonder if he can tell us a little about his understanding of the FireSmart program and how that protects various communities and the initiatives that that program undertakes.

Then he also, you know, went on at length about civil servants and his fear of them being subjective in their application of considering fire plans and safety plans. I'm just wondering. I have a lot of confidence in our civil servants. We hire these people because they're experts in the field. They do this day in and day out. These are the people that I trust to make these kinds of decisions. The member has made an allegation that he questions their ability to make an objective assessment of whether the plans that are submitted are accurate. I'm just wondering: is it the member's position that our civil servants aren't capable and are not experts in the field?

The Speaker: The hon. member.

Mr. Orr: Yes. Thank you for the questions. You know, I'm not trying to denigrate the purpose of what's intended here. I'm just trying to say that there are spots that I think could make it better. I am aware that there is the FireSmart plan, but I'm also aware that there have been challenges in the past, and it's not absolutely clear about the authority to act on some of those things. So I think that needs to be considered.

Secondly, with regard to the subjective nature of decision-making, where there is no clearly stated protocol or regulation or rule, there's no other choice but that it can be subjective. Somebody has to decide to make it. And, yes, they are competent, capable civil servants, but that doesn't mean that they will always make the choice that everyone else considers to be appropriate. As we all know, in our ridings we all have people who phone us who are struggling with: how is the law to be applied by those who are tasked with applying it? There are issues that come up every week. All of you have dealt with those.

So I'm not calling into credibility their intent. I'm saying that if we don't give them appropriate guidance, we are inappropriately tasking them with a responsibility that will put them in a difficult place and us in a difficult place, and we need to do better than that.

Thank you.

The Speaker: Are there any other questions or comments to the Member for Lacombe-Ponoka under 29(2)(a)?

Are there any other members who would like to speak to the bill before us, which is Bill 24? The Member for Grande-Prairie Smoky.

Mr. Loewen: Thank you, Mr. Speaker. Yes. I'd like to speak to Bill 24, Forest and Prairie Protection Amendment Act, 2016. Of course, we've heard discussions, and rightly so, about the Slave Lake fire and the devastation that it left. And, of course, even more recently and even more catastrophic as far as numberswise, anyway, we can remember the Fort Mac fire and its effects on that community and all of Alberta and, in fact, even Canada.

The effects of forest fires – I honestly can't imagine what it'd be like to lose my home in a fire. This spring when the Fort Mac fire was burning, there was a fire in our community. That day I'd actually driven to Edmonton for the Legislature the next day. I drove here on a Sunday night, and when I got here, I received word that part of my constituency was being evacuated. Of course, I turned around right then and drove straight back and arrived home at 4 o'clock in the morning to see what I could do to help with the situation there. Fortunately, for our sake and our community, we didn't lose any homes or anything. Again, I can't imagine what it would be like to lose a home and, in fact, to lose a whole community like what happened in Fort Mac and Slave Lake.

When I look at Bill 24, I do see a lot of good things, and I want to commend the government on those good things. There were a lot of things that needed to be cleaned up in that act. In particular, what I want to address is that I want to make sure that what we're doing with Bill 24 effectively reduces the opportunity for a Fort Mac or Slave Lake fire to happen again. With the situation that we're in and with the recent events of the Fort Mac fire, I think that has to be the goal of any discussion on forest and prairie protection when it comes to fires.

Now, when I looked at it, I looked at section 14, where it adds ATVs and the vehicles that could be restricted. Of course, that makes sense at times to do that. But we did have an ATV ban this spring, so that's not something that's necessarily new. Maybe this will allow it to happen more easily, but I would like to have a little more clarification on that and a little more understanding of what this is doing that wasn't done before.

I noticed, obviously, too, that the fire season will start a month earlier with this bill. Again, this spring was a classic example of an extremely early and dry spring where something like this, of course, would have been very helpful. Now, I do understand that the minister already has that ability to start the fire season earlier, so though this may make things easier or make it set in stone that the fire season starts earlier, it isn't something that's necessarily a huge change from what was there before.

We notice that the fire season now will start earlier, but this fire season, of course, the government shortened the contracts on the water bombers by one month. So we've extended the fire season by one month, but the government has shortened the bomber contracts by one month. That seems a little bit of an odd situation there, where there's kind of a greater disparity in time frame.

Now, if we look at section 23, we see some changes there where the word "Minister" has been replaced with "forest officer." Some of that, I guess, may make sense because obviously the forest officer is the person that would be dealing with some of these issues on the front line, not the minister. So some of that may make sense.

While we're talking about section 23, it talks about having "an industrial or commercial operation on public land or within one kilometre of any public land." Of course, what it suggests is that for anybody that has an industrial or commercial operation in those

parameters, the forest officer may have them develop a fire control plan that's satisfactory to that officer.

Now, what's maybe not contemplated in this bill is a possible change as far as, you know, what constitutes an industrial or commercial operation and what could be considered industrial or commercial. There are obviously a lot of different businesses and operations that would have no reasonable opportunity to pose a fire hazard. So I wonder if maybe some wording along those lines could be added into this, where we could suggest: an industrial or commercial operation that could reasonably pose a fire hazard. There could be a home-based business or something like that that doesn't operate in the outdoors at all that could fall under these parameters.

4:10

Now, if we read subsection (2) under section 23, it says:

If a person referred to in subsection (1) fails to comply with the request of the forest officer within the time determined by the forest officer, the Minister may, by order, suspend the industrial or commercial operation of the person until a fire control plan satisfactory to the forest officer has been submitted to the forest officer.

Obviously, this puts a lot of onus on the forest officer himself or herself. We have good people working in that industry, but it may be nice to have some parameters for them to work under so that they're not totally responsible themselves for anything along these lines that could go wrong.

I also wonder if there's any appeal process. Is the only appeal possible through the courts on these issues? Of course, if their business was to get shut down by a forest officer, how do they appeal or how do they make a claim that maybe they are in compliance?

We also need to realize with this same issue that having a business on public land is different than having a business within one kilometre of public land. Now, "public land" is a pretty general term that, of course, may include road allowances, grazing leases, marginal agricultural land that's interspersed with agricultural land, and then some of that marginal agricultural land has never been sold, so it still remains, you know, public land. So even though we could have a business that's within the kilometre of a quarter section of public land, they may be miles and miles from the actual forestry land that this bill would really be dealing with. I don't think that was the intent of this, to deal with businesses that are within a kilometre of land that's not expansive and could pose that chance for real catastrophic forest fire travel.

Now, in section 31.4(1) it talks about: "A forest officer may, without a warrant, seize any thing that the forest officer has reasonable grounds to believe harbours a forest pest." I think there was a change of wording from "product" to "thing." Of course, the definition of thing is: "an object that one need not, cannot, or does not wish to give a specific name to." When we talk about a thing, any thing, I think that leaves a lot of – well, I guess it basically includes everything because everything is a thing. I think that stands to reason. So I would like maybe a little bit of clarification on that. What was the reason for the change? Maybe there is a good reason, but it would be nice to know that. Maybe it could be changed to "forestry product" or something related to the forest industry. It may seem a little harsh to without warrants seize anything.

When it comes to invasive aquatic species, which is a similar issue, I believe – with invasive aquatic species, of course, they're trying to keep out these invasive species that could infect our waterways. Of course, it's very important to keep them out. The legislation on that, when it talks about the power of seizure, says that a forest officer or guardian may seize anything that the officer

believes on reasonable grounds might afford evidence of the commission of an offence or that has been used in the commission of an offence or is found in or on or at a place or conveyance and is believed on reasonable grounds to be a subject organism that is held without lawful authority to hold it.

This 31.4, I mean, I presume is talking about things like the pine beetle. Of course, we know the devastation that the pine beetle has caused to British Columbia in particular and, obviously, to Alberta, too. We've suffered a lot from the pine beetle. So it makes sense that we need to try to restrict the transport of these pests because they can do great damage to our local environment. I'm just wondering if maybe that wording that's used to deal with aquatic invasive species might be a little more appropriate for this bill here, dealing with the forest pests. I believe there are lots of good wording changes in this bill. Changing some of these things from "Minister" to "forest officer" because of a forest officer being on the front line: some of that makes sense. Like I say, I don't want to see the forest officers burdened with more responsibility than they have guidelines to follow. I think there's something to be said about that.

Overall, I mean, this is great because this is something that's very timely. We need to be discussing this. We need to be bringing this forward because of these catastrophic fires that we've experienced. We have to make sure that we do everything we can, as has been said before, to stop that happening to any other communities.

I'd also like to see a little bit more as far as how this lines up with the Flat Top Complex recommendations and that sort of thing. Maybe the minister will have a chance to explain some of this in greater detail for us. I'd look forward to that. Again, overall, I really like what's happening here as far as addressing some of the concerns that we have with our forest and fire protection in Alberta.

Thank you.

The Speaker: Are there any questions or comments directed to the hon. Member for Grande Prairie-Smoky?

Ms Jabbour: I just wanted to ask a question for, I guess, more clarification. You had mentioned your concern that there was no ability to appeal. Section 37.6 does have the option to appeal an administrative penalty. Were you referring, then, to being able to appeal, like, the specified individual fines as opposed to administrative penalties?

Mr. Loewen: Well, thanks for the question. What I was referring to was section 23, when it talked about the industrial and commercial operations and the decisions that could be made by the forest officer in regard to that particular business, and of course in that section there it doesn't talk about any opportunity for appeals. It is good to have those opportunities for appeals, as you pointed out. I mean, that's great because in a democracy we need to have that opportunity to appeal decisions, and it is nice to be able to have the right to appeal without actually having to go to court and hire a lawyer and go through that expensive and time-consuming process.

Again, I just want to state that there are a lot of good things in here, and it would be nice to have the minister explain more. Hopefully, we'll have that opportunity to listen to him and have this fulsome discussion.

Again, these catastrophic fires are something that we need to avoid. There are other communities, I'm sure, in Alberta that could be in a situation where, if not handled properly, they could end up in the same situation, and we need to avoid any opportunity we have to lose property and even life as it comes to this.

We have to respect that the first responders, you know, when they're fighting these fires, are putting their lives on the line, and

by doing so, we need to do what we can to make sure that these first responders don't have to put their lives on the line to do that. There are always going to be some fires, but we need to do our best to reduce any opportunity to have these fires and to put our first responders in harm's way like that.

I think it's our duty to look at this as carefully as we can. Bill 24 is that opportunity to look at this to the fullest extent we can, and I would hope that possibly this maybe even could go to committee, where we could look at it and spend a lot of time and really go through this carefully to make sure that we've done everything we can.

4:20

Again, I can't imagine what it would be like to lose a home in a fire. Others have gone through that. I never have, and I would hope that nobody else has to do that. In late August I had an opportunity to go to Fort Mac and view some of that devastation. Again, I can't imagine. There are people's homes that were obviously burned to the ground, but they haven't had a chance to clean up or even start rebuilding yet. There are some homes that were standing at that time in perfect condition, that people weren't even able to return to at that point. So there's all that kind of stress and anguish that those people had to go through. Again, I can't imagine what it would be like.

I think, again, we have this opportunity with Bill 24 to open this all up, to make sure we get it right, because that's what we're here for. We're here to get it right. We're not here to just graze over and just, you know, do a few little tweaks here and there. If we're opening this up, let's do it right. Let's take it to the fullest extent that we can. Let's get as much consultation as we can. Let's see what we can do about bringing this fully forward in a way that we can do our absolute best to ensure this doesn't happen again.

Thank you.

The Speaker: Any other questions under 29(2)(a)? The Member for Drumheller-Stettler.

Mr. Strankman: Thank you, Mr. Speaker.

The Speaker: We're under 29(2)(a).

Mr. Strankman: Yes, sir. My colleague has talked about some of the changes within the system, and I, too, talked about the changes of moving the fire season ahead, the potentiality under section 17(1), where the minister has talked about doing that. We've learned, through some of the questions that we had – and I believe my colleague was privy to that – in regard to the potential use of different products, that the time before the fire season is when our firefighters through forestry, et cetera, test the product . . .

The Speaker: Thank you, hon. member.

I recognize the Member for Calgary-Shaw.

Mr. Sucha: Thank you, Mr. Speaker. While I am an urban MLA, I really want to seek this opportunity to speak about something that's very unique to my constituency, something that this will really apply heavily towards, and that is the fact that Fish Creek park is right adjacent to and actually encompasses part of my constituency.

Mr. Rodney: Hear, hear.

Mr. Sucha: Thank you.

Anyway, the thing that's pretty unique to note on it is that because it is a provincial park, it does not fall under the purview of any municipal bylaws within the city of Calgary. In fact, on a technical standpoint, if you were to walk into the park, you have

technically left Calgary, which is remarkable for all those who live in that area, including myself, who can take his kids down there and can go for walks in those areas.

The thing that is very interesting to note is that during the last spring I had quite a few opportunities to meet with many of the park officials and managers of that park, and they had a lot of concerns in that area because it was a very dry winter for Calgary and southern Alberta. By around April of this year a lot of the foliage was very dry. They were very dry conditions, and, to be frank, they were preparing for the possibility of a wildfire in there. The area is very well established. A lot of the foliage is very old; it's very dry. To be completely candid, it gave them and myself a lot of anxiety because there are a lot of houses that back right onto Fish Creek park that would have been negatively impacted. There are businesses. There's even a university that backs onto that park. So there was a lot of danger that was seen there.

The problem that we have is that the city of Calgary has always been very good about keeping their bylaws up to date when it is trying to manage wildfires and grass fires in the area, but none of those apply to Fish Creek park. If there was to be a wildfire, I have a lot of faith and I know for a fact that the people who would be responding to that are the Calgary fire department. Ultimately, they would have a challenge trying to navigate some of the rules that exist within Fish Creek park and a lot of the outdated rules.

We also have to make sure that we're empowering our parks officials to have that opportunity to be able to manage the area and to prevent these wildfires from occurring. One of the things that I learned just recently is that there was a new deal signed in Fish Creek park. They're leasing part of the land near the water treatment plant for off-road vehicles, so the parks officials do need to have that power to put a ban on off-road vehicles if they know that there is a huge possibility of wildfires occurring. Further to the point, they also need to be able to have a bit more power to control uncontrolled fires that are lit within some of the grounds that are in that area as well. There are quite a few firepits and little camp stoves and things like that.

The other thing that we have to be very well aware of is that if there is the instance where a fire does occur in that area, we have to be able to allow people like CPS, who will fly HAWCS over there looking for hot spots and making sure there is no one in that park, the power to be able to do that without any disruption. So we have to make sure that we're putting those bans on the drone vehicles during wildfire events, because if that does occur, we want to make sure that everyone is safe during these times and that we can save homes and those people who are impacted and not deal with the disruptions that are coming from drone vehicles.

Now, if I may speak in regard to section 31.4, we've had an unfortunate distinction in Fish Creek park this year, and I had the unfortunate opportunity to be at the press announcement during this time. We have an invasive species, a weed that actually came into that park – and I apologize if I mispronounce it, because it's very uncommon – *Thesium arvense*. It's an Asian-based weed. It doesn't even have a slang term yet because it's very new to North America. One of the things that the park is doing to try to combat that, because of certain patches where it exists, is that they brought in one of our mussel-sniffing dogs, Hilo, and they've trained him to sniff out where that weed is. He can actually go around the park and find patches where they are, and he's been doing a very good job of it.

The downside is that we may not necessarily know when we have them at that park site. If we think there could be something that might have spread that weed that came into that park, we need to be able to contain that and detect whether or not that is the case. Right now Fish Creek park is doing a lot of work to combat invasive

weeds and invasive species. A lot of the grassland there is not native because it is reclaimed farmland. There was some industrial development at that point, and then we reclaimed the space. But people like friends of Fish Creek and the parks officials there have been working really diligently, and they actually have some trial spaces where they're trying to prevent invasive weeds from growing and are trying to grow it back to natural land. They're trying to reclaim a lot of that space.

But the challenge is that you're going to have these opportunities where people are bringing invasive things into the park. We have to be able to control that so that we can really grow that area. A lot of people have pride for this park. It's getting a little bit older, and we're dealing with a lot of challenges that come with invasive species coming into this province from just the natural occurrence of us being so mobile and moving around. This is always going to be a fight that the friends of Fish Creek and the parks officials will be managing, but we need to make sure that we're giving them all the tools that they can have to manage this appropriately as well.

[The Deputy Speaker in the chair]

You know, I'm going to support this bill because I really think that it is the right thing for us to do, to give our parks officials the tools that they need to prevent any really devastating fires from impacting that area and also to make sure that they can manage and control any issues that do occur in that area.

Thank you very much, Madam Speaker.

The Deputy Speaker: Under 29(2)(a), Grande Prairie-Smoky.

Mr. Loewen: Thank you, Madam Speaker. The member just talked very passionately about Fish Creek park bordering his constituency there. I just wanted to ask the member if he feels that Bill 24 does absolutely every possible thing that it can to protect the forest in Fish Creek park.

Mr. Sucha: You know, when I look at the review of this, at a lot of the hurdles that we have in that area, I don't want to say any absolutes or have to eat my words, which would be very unfortunate if something were to happen to that park. There are sometimes bad seeds out there that will cause devastating things to areas, and it's very unfortunate when that occurs. But I think that this gives the parks officials a lot of tools that they can use to prevent fires and to also prevent the spread of a lot of invasive weeds and invasive species in this. I think it gives them a lot of great opportunities to really continue to allow that park to flourish. I fundamentally believe that this provides every tool that they need at their disposal.

The Deputy Speaker: Any further questions under 29(2)(a)? Drumheller-Stettler.

4:30

Mr. Strankman: Thank you, Madam Speaker. To the member, I too would like to ask him a question. Some of the new products that are available for firefighting are used in different jurisdictions and not so much in Canada. In the act here it talks about changing the fire season start from April 1 to March 1. I was going to ask that question to my colleague here, but I'll ask it to the member opposite. That's normally when the forestry department does their testing of new products, and I was wondering what he would think about the possibility. The product known as fire-retardant gel, actually, in urban areas similar to where the member opposite lives, provides excellent control that's able to be laid down by various forms, whether it be rotary- or fixed-wing aircraft. This product provides longer term fire protection, or so I've been led to believe. I was wondering if the member would think that this is an option,

that we might want to change some of this so that it would allow the forestry department to test throughout the season to use new products that are used in other jurisdictions.

Mr. Sucha: You know, I do have to apologize to the member as I'm not as familiar with a lot of those products. I guess he's given me some homework to review when I get off duty today as well, too. You know, it's always amazing to see how technology evolves over time and how forest fire fighting has changed over this vast amount of time. Even when you look at, as I alluded to before, a lot of the wildfire combatting that we've had within the urban area of Calgary, it was remarkable to see them fighting grass fires with HAWCS when they first got the helicopter in that area because it was never something that they had at their disposal, but they had it then. At the end of the day, I would have to read into these things a little bit more to have a more accurate response in relation to some of these products that are available.

The Deputy Speaker: Further questions and comments under 29(2)(a)? The hon. Member for Strathcona-Sherwood Park.

Cortes-Vargas: Yeah. Just a comment on that previous question. I know that over the summer I was able to meet with some constituents that were looking at alternative products and testing of those products. In working with the agriculture minister, we were able to find ways to test and times in which they can test the different products. So I know that's already happening, specifically talking about the gels. It's not saying that it's being applied everywhere. It's going through the system of how we can test them right now. I just wanted to provide a comment on that front, knowing that a constituent of mine is also looking into that.

Thank you.

The Deputy Speaker: Any further questions or comments under 29(2)(a)?

Seeing none, other speakers to the bill? The hon. Member for Calgary-Mountain View.

Dr. Swann: Thank you very much, Madam Speaker. I don't have a lot to add to the discussion except questions. Like many, I don't live and haven't lived in an area that is heavily forested, but having travelled in the U.S. a bit over the summer, I came across some folks who had some experience in the U.S. and were kind of astonished at the lack of regulations in Canada, in Alberta in particular, when I raised some of the issues around our forest management.

I'm speaking of areas like Idaho and California, where they believe they have largely controlled forest fires that affect urban settlements by very strict standards around fire belts and clearing the branches up to 10 feet in all trees that are anywhere near the urban areas. I don't know all of the conditions under which they have managed to control forest fires in those areas, but they have significantly reduced any serious threats to urban centres by setting in place some pretty strong barriers, including removing all flammable materials on the ground within several miles of an urban centre, as I say, branches no lower than 10 feet to stop it moving up trees – even if there is a grass fire, it won't move up the trees – and a setback distance of whatever it is, a very significant setback distance from urban settings for any major trees.

I wonder how much we've looked at other jurisdictions and the lengths to which they've gone to what they believe has virtually eliminated the risk to urban centres at a cost, obviously, of having nice forested areas close to urban centres and towns, which is a wonderful attraction for all of us. We love the forests. We love the

wildlife. We love the opportunity to move in forests, recreate in forests.

I hope the government has looked at other jurisdictions because the folks that I ran into just serendipitously on my vacation in the U.S. suggested that they think it's a thing of the past and that there are very practical and concrete ways, with setback distances and measures to reduce flammability in proximity to cities, to actually eliminate the kind of thing that we've seen in our northern communities. Obviously, there's much more dense forest in the northern part of our province than in many parts of California, but they took this very seriously, and they tell me that they have virtually eliminated the risk to urban and even smaller municipalities as a result of very strong standards for firebreaks.

I would commend that to the government. I'm sure they have looked at other locations, but there may be much to learn from other locations in North America that have more successfully than we have prevented forest fires affecting major populations.

Thank you. I'll follow the debate and do some more research.

The Deputy Speaker: Any questions or comments under 29(2)(a)?

Seeing none, any other hon. members wishing to speak to the bill? The hon. Member for Calgary-Currie.

Mr. Malkinson: Thank you very much, Madam Speaker. I just wanted to rise to speak to this bill. This bill is seeking to improve the existing laws by strengthening deterrents through tougher fines, improving the ability to reduce fire risk where fire conditions are hazardous, and clarifying operational processes, roles, and responsibilities. This is something I support. These legislative changes build on the more than 100 actions taken in response to the recommendations made in the Flat Top Complex report following the 2011 Slave Lake area wildfires. This is one of those learnings from the last two wildfire seasons.

These amendments generally can be grouped into three categories: enhanced fines, improved public safety and wildfire prevention measures, and operational amendments. I'll just focus on looking into public safety and prevention. One of the things that has been talked about at length is ATVs and the importance of what those who use off-road vehicles need to do in order to prevent forest fires.

As somebody who's a bit of an automobile enthusiast – I mean, quads, for example, often have many hot spots in them with debris accumulating underneath the seat as well as around the heat shields and around the muffler. For dirt bikes, which are my personal preference if I'm going to be using an off-road vehicle, spark arresters are very important as well as, again, making sure that you have no debris around the particular exhaust pipes. This is not to say that those who use off-road vehicles are not responsible users. When I've gone out enjoying our forested areas dirt biking, I found that users, on the whole, are responsible. However, this legislation provides for the ministry to restrict that use in the case when the fire risk is so high that even an otherwise responsible user may inadvertently start a forest fire.

It's interesting that technology of ATVs – it's new technology as well that has also become a concern that we are addressing in this legislation, specifically in the use of drones around firefighting equipment, specifically planes and helicopters. You know, I can imagine that years and years ago ATVs were a new technology that I'm sure needed to be addressed in the legislation of the day, and now we are moving forward with that while including drones in the legislation as well. Spark arresters and such on ATVs as well are another excellent example of things that can be done to prevent forest fires with your ATV. So if you don't happen to have one, you should probably get one on your dirt bike or your ATV.

4:40

Lastly, you know, one of the things that's come up that I was thinking about during the debate of this particular legislation is: why would providing the ability to prohibit the operation of off-highway vehicles narrow the ability of the public to use Alberta lands? Well, I think it's in the same way that we implement a forest fire ban when forests are tinder dry and have that approved authority to restrict the use of off-highway vehicles, especially when they pose a risk and the fire danger is that severe. Of course, there are already provisions, through forest closures, to close activities in a particular area, and I would imagine that if we were to ban off-highway vehicles in a particular forested area, it would be just that one step before a complete forest closure occurs.

On that note, Madam Speaker, those are just my couple of comments on this legislation. Thank you.

The Deputy Speaker: Questions or comments under 29(2)(a)?

Seeing none, any other speakers to the bill? The hon. Member for Fort McMurray-Wood Buffalo.

Mr. Yao: Thank you, Madam Speaker. I like where this bill is going. I understand that we want to increase funds, that we want to make it more difficult for and try to remove that human element from initiating forest fires. I'll be curious to follow this over the years because when we're talking about the evolution of our fire management, forestry, firefighting, and forestry practices management, this is something that does take years. It is interesting to see if increased penalties and fines and other restrictions will help alleviate a lot of these forest fires. So, to that effect, I do appreciate this bill.

But that said, we have to also recognize that we have a long way to go and that when we have events where we do evacuate a large community like this, 80,000 plus – you know, we had Slave Lake before that; we had Kelowna before that – hopefully people will learn and understand just through those events alone why we have to increase all these fines and put in these restrictions, because people are just generally stupid, and we will not ever learn our lessons. I truly do question whether it will really help because it is so hard to really understand how these things start.

When this last fire in Fort McMurray started, I knew right off the bat that it would have been man-made. We knew that. It wasn't lightning strikes. There was no thunder activity in the area. From the moment it started, anyone who has any experience or understanding of that field knew it was a person that started it. So it will be interesting to see. What I do desire is that our forestry division here with our provincial government does work with the other provinces and with the federal government and reconsiders our management practices with our forests.

One thought – and this is only my own perception based on my own studies and some reports that I wrote myself even – is that we've become very good at fighting forest fires. As a result, the fuel loads in all these forests have built up. Just remember that every year there are leaves shedding from these trees, that there are branches, that there's bark. It all comes down. It creates that layer of duff. Believe it or not, that is called duff on the ground there, that layer of composting mulch.

Mr. Hanson: It's not just a beer?

Mr. Yao: It's not just a beer on *The Simpsons*, folks.

That is where, when we talk about those fires burrowing into the ground, it lays right now. It is slowly burning, and I fully expect this winter, when it's 20 below, we will see an area appear out of the blue that is burned up. I've responded to many of those up in

Fort McMurray over the years. It is a very interesting spectacle to see a large area burned out that started from an ember that's in the ground.

I guess the point is that there is that dynamic with our boreal forests, that the type of trees – a lot of black spruces, conifers, and whatnot – are highly flammable, and we need to consider a policy about letting it burn, but we do have to ensure that we protect the priorities, which are structures and people, and use those FireSmart practices. But we do have to recognize that even with all these additional penalties and whatnot and additional enforcement, it is a lot about public education and enforcing that education in people and making them respect our forests as well. I hope that's something that we can continue on in our education system as well when we're dealing with this issue.

Fighting forest fires is a very expensive thing, as our government found out when they tried to cut back the budget. It's an unpredictable thing, and it's difficult to wrap our minds around it. It is a roll of the dice. You know, no fire might have started at all, and everything would have gone on as usual. But because of this fire we do see increased legislation, and I hope that we can affect it to do good within our province and, as well, share this information with other provinces and work together to come up with some practices with our forest management that will alleviate these issues.

These issues do happen more in the north, quite honestly, and if you look at northern Alberta, it does coincide with more increase in population, more industrial activity as well. Again, back to the fact that people are really the initiators of a lot of this, that goes without saying.

That's all I've got. Thank you.

The Deputy Speaker: Questions or comments under 29(2)(a)?

Seeing none, any other speakers to the bill? The hon. Member for Stony Plain.

Ms Babcock: Thank you, Madam Speaker. It's our responsibility for today's and for future generations to ensure the safety of our communities all over Alberta. My constituency experienced a spring fire this past season, and while it was nothing like the devastation in Fort McMurray or Slave Lake and while one of our communities was under threat, our region was watching very closely, and people were evacuating. Due to the bravery of Battalion 6 Parkland fire services and others who answered the call to help, we were lucky that it didn't spread further than it did. These men and women put their community first, as must we.

Enhanced fines can prevent many of the fires, Madam Speaker, especially with the focus on industrial violations to prevent the spread of any accidents that may happen, which brings us in line with jurisdictions in B.C. and Saskatchewan that face similar challenges. The people of Alberta strongly support these proposed enhancements because we all watched in absolute horror when the devastating fires hit our northern cities in 2011 and again this spring. We stood as community members in Alberta. That's our community: Alberta.

The ability to restrict specific recreational activities such as the use of off-highway vehicles and to ban exploding targets, which also pose a higher risk of igniting a wildfire during periods of extreme danger, will help to reduce the incidence of preventable fires. In my region it was a preventable fire.

We know that many companies stood up in the spring as neighbours to Wood Buffalo and Fort McMurray, and strengthening the obligations for industry to assist will help spread the assistance so not every company gets stuck with a huge portion of the obligation.

Clarifying operational processes, roles, and responsibilities just makes sure that we know who's responsible. It gives us a line of hierarchies, if you will, so that there is somebody to respond and there is somebody to reply every time.

As the climate continues to change here in Alberta and in Canada and globally, our wildfire seasons have become longer, and wildfires have become more intense. We've seen it with disasters all over the world, and I don't think that we can imagine that we are exempt from any type of devastation.

I would just like to, you know, hope that everybody in this House supports this bill and that we can get through this and make a stronger, better Alberta. Thank you.

4:50

The Deputy Speaker: Questions or comments under 29(2)(a)? The hon. Member for Fort Saskatchewan-Vegreville.

Mrs. Littlewood: Thank you very much, Madam Speaker. I would like to ask the member what she learned acting as the MLA at that time when there was the spring fire, what sort of things she was told by the municipality, perhaps, or experiences from the people that, unfortunately, had to go through it. If you could just tell us some further information that you gleaned from being the MLA at the time when that happened to your constituency.

The Deputy Speaker: The hon. Member for Stony Plain.

Ms Babcock: Thank you, Madam Speaker. You know, it was more of a grass fire, and it wasn't in one of our wooded areas, thank goodness, because there are quite a number of those in our constituency. It was around the town of Duffield, and it was very, very close.

You know, the municipality worked wonderfully. It was very clear who was there to help. The surrounding fire departments and the volunteer firefighters were out there fighting it for a number of days, and they fought it very well. They thought of us, and they let us go home every day while they stood and fought those fires.

You know, being a spring fire, it was very unexpected, especially in our constituency. And being so close to Edmonton, that was a large fire that was half an hour away. You know, had it come any closer, it could have been devastating for our entire region.

So I think, you know, what I learned was just to be able to work with our municipalities and make sure that they have the tools they need and that we're there to support them in the capacity that we can.

Thank you.

The Deputy Speaker: Any further questions or comments under 29(2)(a)?

Seeing none, any further speakers to the bill? Fort Saskatchewan-Vegreville.

Mrs. Littlewood: Thank you, Madam Speaker. I think that this is a really important bill to bring forward. It's timely. We see that this year has been particularly devastating for a number of communities across Alberta, including Lamont county. There was a fire, the northeast Skaro fire, and it was a fire that actually sent two firefighters to the hospital. It took homes, took businesses, and had lasting impacts on the families and the livelihoods that they try to make for their families.

It's really important that we move forward with legislation that doesn't only educate even though education is a huge part of it. We need to have deterrents in place for people in Alberta to take this very seriously, knowing that 70 per cent of our fires are caused by human activity. Being able to have fines of \$150 up to \$1,000 for

our peace officers and our fish and wildlife officers to hand out to people that don't put out their campfires is incredibly important. We have these people as incredible resources. They know the areas. They know the people that are using these camp areas, and I'm sure that they're going to be very happy to finally be in a place to actually make a better difference in taking care of these areas that they are in charge of.

Also, having fines that can go from \$5,000 to \$1 million for corporations and up to \$100,000 for individuals is something that is a further deterrent. I don't think anyone wants to be held responsible for penalties of that amount, but it's important that we have those tools for the court system to be able to use and to help really protect Alberta because, you know, we see the devastation. We see the impacts that happen across communities.

Also, the increased implementation of FireSmart initiatives: I know that this is something that different counties in my constituency have been asking for. Beaver county, that I was just in the other day: they were asking for more support because our municipal leaders really want to do their part, but they need that support. They need the province to be a collaborative partner when it comes to taking care of their infrastructure and the families that they look after.

Also, enhanced stakeholder relationships are incredibly important. I know that the fish and wildlife associations that are in the constituency of Fort Saskatchewan-Vegreville are always talking to me about how they want to be responsible members in Alberta. They know the challenges, that having off-highway vehicles out in our prairie areas can lead to human-caused fires, so we have people that have that expert knowledge and first-hand knowledge that know how they can better partner with us in bettering outcomes for us.

Also, having a role for fire behaviour specialists, that we can increase that role is incredibly important. We have the highest educated population in Canada because we have people like this, that we can really glean this knowledge from and have them be also very active with us in helping to try and prevent and avoid these horrific things that can happen.

Also, the fact that we don't have legislation surrounding drones, the fact that we have unmanned drones that have the potential and have gone through these areas – when we have a fire, we need everyone to know that they might have the unintended consequence of grounding our firefighters when we need them up in the air the most. That's what happens with technology as it develops. The legislation oftentimes doesn't keep up, so we bring in legislation that has to really catch up with the innovation that has been happening. It would be nice to always be able to future-proof legislation for something as serious as wildfires, but this is one way that we can at least try and catch up to what people are currently doing for recreational activities.

We do see that the climate is changing. The fire that happened in Lamont county happened in March and April because it was so dry. We had an incredibly dry winter. People were trying their best to keep on the lookout, but the municipalities were not able to catch the fire that was happening underneath the peat, that ultimately turned into a forest fire. We need to make sure that we are keeping up with the climate, that we're keeping up with legislation that keeps us safe.

As I said before, when I was out in Lamont county to visit one of the farms, that lost 75 per cent of their fencing of their cow-calf operation and lost all of their farm buildings except for their house, which they only kept because all of their family came out and helped to keep the ground around it wet, as I sat at that table with that family, with their grandparents, with the young couple that was the farm owners, one of them holding their baby, I could see 50 feet

off into the forest that there was smoke still coming up. There were fire trucks still going back and forth, trying to keep an eye on the potential further development of fires that were still burning in the area.

It was a huge devastation for them. They lost their entire shop, that the husband had set up, with \$100,000 worth of tools. This is a family that was just trying to get their feet underneath them with this business because, of course, as many in this Legislature know, when you have a smaller farm operation, you need other means of income to keep that operation viable and sustainable, a stable income other than the farming operation that you have. It was incredibly devastating for them, and that was why I felt that it was, you know, a priority for me to go out there and visit them in their home.

5:00

I know that the counties and the municipalities really want that support with the FireSmart initiatives, and they keep reaching out. I am very pleased to see this legislation come forward so that I can go back to those county councillors and to the reeves and tell them that we hear them loud and clear and that they are doing the right things, that they do have the right ideas. Having the ability to bring in these bans to forests when they are tinder dry is how we can lower the risk of igniting these wildfires.

I think it's really important that there was good stakeholder engagement on this, that we heard from the public, that we heard from first responders, that have first-hand knowledge of how to deal with these situations. Like, our firefighters: they don't just fight fires. They are detectives. They are the people that know how to understand a fire that happened so that they can further educate us all in how we develop more legislation to try and address these issues that they identify.

Also, engaging with indigenous people so that we are quite mindful of how this might impact their treaty rights is incredibly important because in Alberta we all are needing to make sure that we respect those agreements, those treaties, those rights. It's incredibly important.

Engaging with industry, engaging with recreational associations: I know that the Alberta Snowmobile Association has done a lot of work with this. They have done ongoing work because they want to be good neighbours. They want to have fun, but they also want to be good neighbours at the same time.

I am happy to stand and support this bill, and I know that we have more debate to get to. Thank you very much, Madam Speaker, and I'll close debate.

The Deputy Speaker: Any questions or comments under 29(2)(a)?

Mr. Hanson: Just a curiosity question for you. You acknowledged the fact that it was very tinder dry all over the province in March and April of this year, and you saw the devastation that had happened in your own community in Lamont county. I'm just wondering if you'd like to comment on your thoughts when the government budget came out and cut all that money from the wildfire fighting program.

The Deputy Speaker: The hon. member.

Mrs. Littlewood: Thank you very much, Madam Speaker, and thank you for the question. I think we all know that when a fire happens in the province, all of the resources are delegated that need to be. The people are brought in. The money is spent. The aircraft are . . .

An Hon. Member: Deployed.

Mrs. Littlewood: . . . are deployed. Thank you.

We had the military come and actually work within the office of the Provincial Operations Centre. There was incredible partnership from day one, and I think we know that the Premier and the Minister of Municipal Affairs did not spare any expense to try and assist those people and to try to protect critical infrastructure because we know that the replacement of all of that is incredibly expensive. We already know what the final number – well, I don't think we even have a final number. It's into the billions and billions of dollars that it'll take to rebuild it.

I think that we all are on the same page. When you have people in distress, when you have businesses that are affected, when you have pets in a home that need people to go and take care of them, round them up and feed them and water them and take care of them and love them until those families were able to get home and be reunited with them – we know that every person possible and every resource available was utilized. They stepped up to the plate in time of need and will continue to do that.

Thank you.

The Deputy Speaker: Grande Prairie-Smoky, under 29(2)(a).

Mr. Loewen: Thank you, Madam Speaker. In the opposition here, since we've been debating this Bill 24 in second reading, we've asked for clarification on several different issues with the bill. When we ask for clarification, it gives the government the opportunity to clarify and maybe make us fully understand why some of the changes that have been made have been proposed in this bill. I think it's only fair that somebody on the government side respond to these questions and queries that we have so that we can have clarification so that we know whether we can support a bill like this.

I'm wondering: is there anybody on the government side of the house that could answer any of our questions or concerns or the clarifications that we're seeking on Bill 24? Thank you.

The Deputy Speaker: Hon. Member for Fort Saskatchewan-Vegreville, did you wish to respond?

Mrs. Littlewood: I didn't hear a specific question in there.

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

Mr. Fildebrandt: Thank you, Madam Speaker. I just want to repeat the question from the Member for Lac La Biche-St. Paul-Two Hills. How does the member feel about cutting the firefighting budget? I don't think she actually answered that question.

Mrs. Littlewood: I've already answered the question.

The Deputy Speaker: There are still a few seconds left under 29(2)(a). The hon. Member for Grande Prairie-Smoky.

Mr. Loewen: Yes. Thank you, Madam Speaker. Again, we ask questions, we ask for clarification, and we receive nothing. We're in debate here on Bill 24, which is a very important bill. We all agree that it's a very important bill. The only thing that we would like is clarification on a few points. Now, I ask again: is there anybody over there that can provide the clarification that we've requested? Multiple members on this side have stood up and asked for clarification on multiple issues, and so far we haven't received anything. The concern is that we sit in here – we only have a certain amount of time to debate these bills. We ask questions. We want clarification. We get nothing.

The Deputy Speaker: Just for clarification, hon. member, under 29(2)(a) the intent is that the questions are directed to the previous speaker, not to anyone who wishes to respond. That would not be appropriate use of 29(2)(a).

Any further speakers to the bill? The hon. Member for Banff-Cochrane.

Mr. Westhead: Well, thank you very much, Madam Speaker. I'm very pleased to speak in support of Bill 24, the Forest and Prairie Protection Amendment Act. I'm very honoured to be a co-sponsor of the bill, and I'm very appreciative for the minister's leadership. I congratulate him on this first piece of legislation, and I think that he couldn't have picked a much better topic for his first bill. So I'm really pleased to be a part of that.

Of course, I'd like to thank the first responders, who keep our communities safe. I know that in forest communities like the ones in Banff-Cochrane and particularly where I live, in Bragg Creek, when fire season comes around every year, people get pretty nervous. They never know what's going to happen. It's interesting because there's a bit of tension between people being afraid of a flood risk and a fire risk, both at opposite ends of the hydrology spectrum as it were. I do know that the forest communities can rest a little easier because they know that we have such professional people looking after us that are going to be keeping us safe and are ready to jump into action.

5:10

I'd also really like to recognize the volunteer first responders. Of course, the professional responders are the people who do this day in and day out, but it's not just the professional responders who keep us safe. There are people like Erik Butters. He is a councillor and the deputy reeve in the MD of Bighorn. He's also a rancher in the Ghost valley near the beautiful communities of Benchlands and Waiparous. I know that Mr. Butters would probably be the last person to call himself a hero, but I would be the first to say that he is, he and other volunteer first responders just like him. He's told me some stories about how he's jumped into action on very short notice and put out very small fires that could have otherwise escalated into much bigger events. So it's having people like him and others throughout our communities. He might just happen to be at home having dinner one night when he gets a call, and he has to go and respond to that immediately. It's people like that, who are scattered around our communities, who have the ability to respond very quickly to those kinds of situations and put out fires before they become a bigger issue.

There are also communities that border the Ghost valley public land-use zone, and there are, you know, accidents that happen all the time in these communities. People have accidents with their off-highway vehicles, or sometimes, despite their best intention and best actions, their fires get out of hand, so they need some help extinguishing those. These volunteer emergency first responders put their life on hold at any time of day or night. They don't know when they're going to get called. I guess that's the nature of the business.

There's another sort of category of volunteer first responders, and those are people like in the Ghost Lake village and in Redwood Meadows. We have an example of volunteer fire stations. They're people just like you and me. They have day jobs where they work, but they volunteer their time after hours, keeping their community safe. I'd really like to acknowledge those people because I think they deserve a lot of credit.

Another aspect of our public service that I'm really proud of is the fire lookout towers. I'm lucky to have three of those towers in the constituency of Banff-Cochrane. They're located at Moose

Mountain, at Barrier Lake, and at Kananaskis. There are dedicated individuals who sit at the top of these fire stations and take weather reports and observe the forest all day long, looking for signs of risk. If it weren't for these dedicated public servants, again, there could be a lot of other risks that we would face. I'd like to thank them as well.

When we talk about communities that are at risk for forest fires, the community of Bragg Creek, especially, has been identified along with other communities like Slave Lake and Fort McMurray as a high risk of forest fire. You know, Bragg Creek is one of the three remaining communities that hasn't yet experienced a fire, fortunately for Bragg Creek, but it's certainly a risk for the community, so one of the things that I'm really proud of our government doing is funding an emergency egress study. If you're familiar with the town of Bragg Creek, on the west side of the river there's really only kind of one way out, which is the bridge over the Elbow River. Our government has provided some funding to Rocky View county to study different ways that we could plan an emergency egress route. There's a lot more work to be done there, but I'm glad that we're taking steps to address the concerns of the community.

You know, all across Banff-Cochrane, pretty much from Cochrane all the way to Lake Louise and all points north and south as well, all of these communities are at high risk for a forest fire. Albertans and tourists alike go to these communities for the exact reason that they're covered with trees. This, of course, puts them at risk as well. A lot of these forests are old-growth forests, so there's a lot of debris and duff, as we've heard from a member across. There's certainly a high risk there, but one of the things that we certainly encourage to reduce that risk is the FireSmart program. The communities across Banff-Cochrane have engaged in FireSmart activities. I know that Canmore and Bragg Creek have done a lot of work on this. In Bragg Creek, in particular, the fire department went door to door, actually, and made sure that everybody in the community knew about the plan and that if they had any questions or needed any assistance, the fire department was available to them.

The little community of Waiparous, which is sort of northwest of Cochrane, was actually awarded a FireSmart grant because of the work that they've done. I was just looking at their website, actually, and they post almost quarterly newsletters to the residents talking about the different types of activities and emergency planning and that kind of thing. So there are really good examples of communities taking action and making sure that people know what the risks are and how they can respond to those risks.

I'd like to get into a little bit more about the bill rather than just talking about what our communities are doing. You know, of course, we've mentioned before that the purpose of the bill is to protect Albertans and their communities from the threat of wildfires. The amendments that we're proposing here are supported by recommendations that were made in the Flat Top Complex report as well as the last two fire seasons. For people who may not have heard of the Flat Top Complex report, this was a report that was based on the lessons learned from the 2011 Slave Lake fire, and almost all of those recommendations are adopted here in this bill.

Of course, we've mentioned before – it's been said in this House earlier – that, unfortunately, human-caused fires are the most common. There's a high rate of human use in Banff-Cochrane, which is great because people are getting out and enjoying the outdoors. It's close to Calgary, and people like to take their off-highway vehicles there and go camping or whatnot, and that's a good thing, but we also want to make sure that people understand the risks of enjoying the outdoors and make sure that they take steps

and understand the consequences if they don't do their part to keep our communities safe.

The bill strengthens our laws that enhance wildfire prevention activities. It supports our wildland firefighters and keeps Alberta communities safe. You know, if we can prevent fires from happening in the first place, we don't need to put our first responders at risk. If we can stop fires from happening, you know, that's a good thing in itself, but we also keep our first responders safe.

One of the things I'd like to talk a little bit about is just recreational off-highway vehicle use. We've talked about that a little bit before. One thing that I'm really proud of is to have the co-operation of the off-highway vehicle use community. I know that this is a very responsible group. They like to get out and enjoy the outdoors, but they also know that they have a role to play in keeping our communities safe, so I'd like to thank the off-highway vehicle community for their co-operation when we do from time to time need to restrict off-highway vehicle use.

Madam Speaker, the proposed regulations, from what I've been made to understand, also include a ban on what are called incendiary targets and also fireworks on public lands. This is a piece that I am particularly proud of because members in my community, including the municipal district of Bighorn and the Ghost valley community, had brought to my attention early on in 2016 that they were concerned about the use of incendiary targets. In the Ghost public land-use zone there are often people that like to sight in their guns and get ready for hunting season, and that's an acceptable use in that area, but one of the risks that the community members identified to me is with these incendiary targets. These are targets that, when you hit them, explode, and there is a risk of that explosion causing a forest fire. So in this bill, or rather in the regulations that would come afterwards, it's proposed to have a ban on incendiary targets.

It's because of the actions of the community, the Ghost valley community and the MD of Bighorn, who brought this to my attention. I, in turn, shared it with the minister. And I'm sure there are other groups as well. This is something that the communities can really give themselves a pat on the back for, standing up for themselves and making sure that they brought this to our attention.

That brings me to another point. You know, when we're talking about forest fires, when you look at a forest from a distance, it looks like there are just trees out there. I think what sometimes people forget is that there's a community in there. There are people living amongst those trees, you know, on acreages. It may be a very low density of houses, but certainly there are people living there. They want to rest easy at night knowing that they have adequate protection from forest fires and that people are going to be there when they need them, and they certainly are. But they also want to know that we're doing our part in making sure that we have laws to ensure that people understand the repercussions of forest fire.

5:20

Of course, tourism is another big economic driver in Banff-Cochrane. People don't like to see burned-out forests. You know, that nice, intact sea of green trees is something that is attractive to tourists from all around the world. We need to do everything we can to protect our forests for that. Of course, forest fire is a natural part of the cycle, so we can't just suppress fire completely, but we do undertake activities like prescribed burns. These occur on a regular basis, and I know that there were a couple just occurring either over the last couple of weeks or even right now throughout my constituency particularly. I know that we've got fire experts that are responsible for managing those prescribed burns, and that's something that also not only protects from a larger forest fire, but it

also protects communities. It's actually also really good for wildlife, too. Wildlife like to live on the edges of things. You know, if we have a kind of homogeneous forest that doesn't necessarily allow for the type of habitat that is amenable to a high biodiversity in wildlife, prescribed burns and managing those fires accordingly is a way that we can also help with our wildlife.

Of course, with the forestry industry, as the Member for Peace River mentioned as well, we want to make sure that we're taking actions to protect the assets that belong to all Albertans but are harvested by our forestry industry partners, and that's something that is contemplated by this legislation as well, keeping those assets safe.

You know, with that, Madam Speaker, I think I've touched on a lot of important points as it relates to my constituency. I'd like to thank all the members for the debate we've had here this afternoon.

With that, I'd like to adjourn debate on this particular bill.

An Hon. Member: Is there no 29(2)(a)?

The Deputy Speaker: We've got a motion on the floor to adjourn debate.

[Motion to adjourn debate carried]

Bill 21

Modernized Municipal Government Act

[Debate adjourned November 1: Mr. Hanson speaking]

The Deputy Speaker: The hon. Member for Lac La Biche-St. Paul-Two Hills.

Mr. Hanson: Thank you very much, Madam Speaker. I appreciate the opportunity to complete my speech, that I started before the lunch break today. I'll just get back to, briefly, what I was talking about, the fact that MDPs and ICFs that are required do require a lot of extensive work and commitment by both the urban and rural municipalities. My concern is for smaller municipalities and villages that may not have the funds available to undertake these tasks. We're hoping that there will be something in the legislation that will provide some funding for some of these smaller villages and towns that can't afford to do this on their own. We have to address the issue of secure, sustainable, predictable funding for all of our municipalities so that they can more easily comply with the requirements of this legislation when it comes to the MDPs and ICFs.

The intermunicipal collaboration framework: I've heard quite a few concerns from my area and others and especially at the AUMA conference as well. I've heard pros and cons from both. Urbans are looking forward to support from their rural counterparts; of course, the rural counterparts are not so much looking forward to sharing their funds. That being said, one of the arguments from the rurals is that the money collected from linear and equipment tax should be collected by the area where the buildings are or the pipelines are, basically where the taxation occurs.

The argument from urban communities like St. Paul and Bonnyville, for instance, that don't have access to those funds: a lot of the heavy traffic that is incorporated into those big industries does actually, you know, utilize the streets through St. Paul, through Main Street, through Main Street in Bonnyville as well, causing, of course, a lot of wear and tear to their roads and their infrastructure. That's how they're trying to approach the rural municipalities to get maybe a little bit fairer a share. So we're hoping that there will be some collaboration there when it comes to that.

One of the other things I did hear about a lot was the losses in revenue just over the last year in urban municipalities especially. There have been losses of residential and business tax revenue, to the point where there's delinquency and people just walking away from their homes or arranging to make payments with the cities or towns to cover their tax burden. You know, because they're unemployed, they can't just dish out \$3,000, so they've actually approached the towns and offices to negotiate a payment schedule. That's a very unfortunate sign of the times.

Also, one of the other things that we've heard is the recent loss of the grants in lieu of taxes from the province that cover the provincial property within their boundaries, a very big concern. It was something that they grew to depend on. We're hoping that there'll be something in the MGA to address that as well.

Rural municipalities. Again I'll mention the delinquent linear and equipment taxes. Some have attempted to pass the uncollectable taxes on to the ratepayers. You know, even when we're talking between the Municipal Government Act and the urban and rural municipalities, we have to remember that there is really only one taxpayer. They are being taxed to distraction – let's put it that way – not only through their municipal taxes but now the upcoming carbon tax, that they'll have to be facing in January. The local property owners are talking to me about this. They would like to be heard as part of this MGA as well from the fact that they are the ultimate source of revenue for the province and the municipalities, and they should therefore have a say.

Now, there's also some concern about smaller urbans within the boundaries becoming incapable of sustaining themselves and being forced into dissolution. Does the rural municipality absorb all of these costs? I can take into account a small rural municipality like the county of Two Hills. I'm just guessing at their budget, but they've got a lot of roads to maintain – it's quite a large county – and they're probably budgeting pretty close. Now, if they have to absorb a smaller community – there are a couple of them that are, you know, very close and are being looked at right now by Municipal Affairs to see about their sustainability. Now, what happens when they're absorbed into the county? I'm sure there's a little bit of an increased tax base, but there are also all of the infrastructure costs that go with that. My concern and question regarding this Municipal Government Act is: will there be some compensation to help out these urban municipalities to absorb some of these smaller communities and not have them become insolvent themselves because of the increased burden?

The proposal for the municipal development plans may allow some of these urbans to recognize that they are becoming insolvent, which is, you know, a good part of the MDPs. The municipal development plan, if it's taken over a three-year period – and some of them have asked, actually, for an extension to five years. Now, when they're doing those plans, maybe they'll see: "You know what? As we go further, it's getting harder and harder to maintain ourselves without increasing the tax burden to the local residents." At that point they may have to go and approach the urban municipalities or the municipal government and say: "Okay. We need someone to step in here and help us out, or we become insolvent." Then it puts another burden on that rural municipality. So there are some very legitimate concerns there.

The Ombudsman. A lot of the municipalities have told me that they don't want the extended oversight. The feeling is that the options already exist for residents and businesses to get the attention of the minister if they so wish. Now, the unfortunate part of that, not so much in the bigger cities but in a smaller centre like some of my communities – you know, the village of Lac La Biche or the county of Lac La Biche, the town of St. Paul, for instance – the only outlet for residents if they have an issue with the council is

to start a petition. Well, in a small town of 5,000 people, everybody knows everyone. All the town residents know all the councillors. It's a very difficult thing, and it causes a lot of division.

5:30

My thoughts and what I've tried to talk to people and the municipalities about are that possibly the Ombudsman, being the first step, may be able to talk to the people that are having the issue, show them that the county or the town council is actually operating within their parameters, and alleviate the stress that comes to a community when you initiate a petition that takes 20 per cent of the electorate. You know, when people go and start banging on doors and complaining about their municipal government, it's not a good thing, and I think of having the Ombudsman in there to maybe run a little bit of interference – I guess “interference” might be a bad word – to give them a sounding board where they could go and take it. He could have a look at what their complaint is, check it against the rules and regulations, and say: “Okay. Yes, you have a case. You could proceed with a petition” or “No, you don't really have a case, and all the petition is going to do is cause strife within the community.” I think that that's a problem with the present process, and I think that the Ombudsman could help to alleviate a lot of that. I think it may work both to the benefit of the ratepayers and the municipalities.

Centralized industrial assessment is another one that I heard a lot about both from my urban municipalities and the rurals, especially the rurals, the main concern being with the rural municipalities. They feel that local control and local assessment have worked very well, and they don't see any advantage to centralized assessment. That being said, I've also heard concerns from industry where they can have a compressor building in one county that's identical to a compressor building in another county, and the assessments can be very, very different in those two. That being said, also, the process is in place for them to appeal a decision and get some clarity on that.

You know, perhaps more consistent guidelines when it comes to assessments could be set out for these assessors so that they're more even across the board, depending on where they are located. I know that with some of them you have to also look at not just the compressor but at how much road is leading up to it, what type of highway or whatever the vehicles are travelling on. There are reasons for discrepancies in assessments as well because you have to take in all those other considerations.

Overall, I think that the people that I've talked to are quite happy with the changes that are coming forth in the MGA. With a few changes, you know, just a few tweaks, we can make this bill better so that we're not having to come back and review it and are trying to make as many people happy with, also, the highest consideration for the ratepayers and taxpayers, that are our ultimate responsibility here as a government. I think we definitely have to take them into consideration in all of our decision-making here.

Thank you very much.

The Deputy Speaker: Under 29(2)(a), the hon. Minister of Municipal Affairs.

Ms Larivee: Thank you, Madam Speaker, and thank you for the opportunity to talk a little bit more about the MGA. You know, I heard a lot of questions and comments and concerns raised by the member on this, and I wanted to take an opportunity to talk a little bit about those.

You know, one of the things I heard about was concerns around the cost to the small municipalities of some of the changes that we're proposing, and it's legitimate. There are some costs

associated with those, and we are committed to working with them on that, and we've talked a bit about that. One is that we continue to have available the Alberta community partnership grants, available to municipalities to do the kind of work that we're talking about, to work on collaboration, to look at regional perspectives.

We also have committed to bringing forward the templates. We have already had some preliminary conversations, for example with AAMD and C, to talk about building some templates around those pieces.

When it comes right down to it, Madam Speaker, there is value in collaboration and finding the efficiency of services and working together and saving the ratepayers' dollars through finding those efficiencies. Collaboration in many ways is simply the cost of doing business nowadays in every situation, including municipalities, going forward.

You know, again, there was some general comment around the intermunicipal collaboration frameworks in terms of looking at them, in terms of talking about some of the money exchanges there. Madam Speaker, intermunicipal collaboration frameworks are about approaching things in the way we always should. It's about taking those geopolitical boundaries off, lifting them up and off, and thinking: what makes sense as a region? How would we do things if we weren't looking at it through our own individual lenses but looking at it from the perspective of what makes sense if we get rid of our egos, if we get rid of our perspectives as a community, and what makes sense for the region and, once you figure that out, putting them back on and figuring out how we deliver those services and how we fund those services in a very fair and respectful manner. I'm really excited about the potential for this to enhance the collaboration and really improve regional services for individuals.

I know the member has also voiced a concern around uncollectible taxes. Certainly, you know, Madam Speaker, the big down swoop on the roller coaster, that we've all experienced, has hurt all of us. Certainly, the provincial coffers are challenged, municipal coffers are challenged, and so are those of individuals and businesses. We're certainly committed to working with rural communities to ensure they continue to have access to all of the services that they need: health care, education, infrastructure.

We recognize that this issue of uncollectible taxes is intensified during a downturn in the energy sector, and we are working to address it. We have formed a working group with Energy, Treasury Board and Finance, the AER, and the AAMD and C to analyze the issues and challenges, and we're looking at some potential options. Madam Speaker, as the government of Alberta we recognize the challenges of that roller coaster over and over again, and we're working really hard and implementing strategies that we know will help smooth that roller coaster out and help prevent this from happening again in the future.

I also heard the member raise some issues around the sustainability of some smaller rural communities. It continues to be a challenge. The kind of regional collaboration we're talking about is one way to address that, by finding all those efficiencies and working together in ways that make us all healthier and more sustainable in terms of the communities that we live in. The issue that you talked about, dissolution of communities, is one of the reasons we need to do that collaboration now. By working together and developing those regional programs and processes, when all of a sudden we realize that a dissolution would be most appropriate for a municipality, then everybody is onboard and understands one another and has built the kind of relationships and learned to work together and looked beyond those municipal boundaries to look at how we should deal with things. It's why a regional perspective is so important. Certainly, there's more to that. Some of those pieces

were actually addressed in Bill 20 in terms of sustainability issues, but there seem to be some good processes that are working in place, and I expect the intermunicipal collaboration frameworks to be helpful with that.

I want to thank the member for the support for the Ombudsman. You know, absolutely, it is important that people have that third-party, nonpartisan person to go to. That's what we heard from Albertans. They were very loud and clear that this is what they wanted to see, and certainly our What We Heard document backed that up. I do want to say that you would actually avoid a petition by going through the Ombudsman. You wouldn't have to see the Ombudsman and say: do you want a petition or not? We'd just come right to the minister.

Ms McKittrick: Madam Speaker, I would first of all, like many others have done, thank the minister for the consultation process. I was very interested in the consultations and in the proposed act as I have had the pleasure of working with and for many municipalities in various capacities. As the MLA for one of only four specialized municipalities in the province, I have paid particular attention to how the modernized MGA will impact municipalities like mine.

5:40

I want to first of all also thank all of the municipalities – big, small, rural, and urban – who attended the consultations and a special thank you to the school trustees who also attended and spoke about their concerns regarding school sites. I have also appreciated the work that the AUMA, the AAMD and C, the Alberta School Trustees' Association, and other groups did to consult with their members and provide the minister with their important feedback. I think this really helped many municipalities to engage with the proposed act, and it identified how it might impact them. This act is very comprehensive and provides a much-needed modernization of the Municipal Government Act to prepare all municipalities for governing in this day and age.

I would like to highlight three key components of the act that I think will benefit communities. First of all, the ability for municipalities to enter into agreements with school boards regarding land for schools. As a former school trustee I know how challenging it can be for school boards to find the land that they need in the right location to meet the demands of students in that jurisdiction. The ability for municipalities and school boards to plan ahead together to set aside suitable school land is crucial.

Municipalities outside of the growth management boards will be required to adopt an intermunicipal collaboration framework. These frameworks will build on and support existing co-operation and require additional collaboration where needed. Through the frameworks, municipalities will be required to address intermunicipal land-use planning and the delivery and funding of regional services. Municipal Affairs will collaborate with stakeholders to develop the regulations that support these frameworks as well as the dispute resolution process, and the minister has spoken about how her department will be helping municipalities.

Now, I know that there already are great examples of intermunicipal land-use planning and the delivery and funding of regional services throughout the province. For example, when I worked in the county of Newell, I saw examples of the sharing of garbage services, fire services, and the joint funding of recreational facilities. The intermunicipal collaboration framework will also give businesses and industry looking to locate in Alberta a level of confidence that they can work with municipalities in the region to support their needs and maximize their investment.

I often think of the Industrial Heartland, which spans a number of municipalities and whose area I share with four other MLAs, as

a wonderful example of how municipalities have collaborated together and how this has allowed the heartland to be as successful as it is, providing jobs for thousands and spearheading the economy in the region. I think that the modernization of the Municipal Government Act will make sure that this happens for every region and municipality, not just mine.

The modernized MGA will also allow municipalities to have the flexibility to include inclusionary housing as an option within the allowed-use bylaws and could implement inclusionary housing at either the subdivision or the development permit stage. A regulation will be developed, with input from stakeholders, regarding thresholds for requiring affordable housing offsets and compensation to developers for supporting affordable housing, cash in lieu of affordable housing, and transparency and accountability for standards for monitoring and maintaining affordable housing units. This will mean that all municipalities will be empowered to play a stronger role in supporting the development of affordable and social housing units in all municipalities, including rural, urban, large, and small, and I know that, especially in the rural areas, affordable housing is a big issue. The act will allow all municipalities who are struggling with finding ways to provide more affordable housing for their residents to find some solutions. There are now long waiting lists for existing affordable housing projects, for rental subsidies, for projects like Habitat for Humanity, or for seniors' affordable lodges.

We need to find solutions to create more affordable housing. Municipalities are fully aware that finding affordable housing for their residents is an important concern. Municipalities like Strathcona county are engaging their staff, developers, and residents in consultation on how to provide the needed affordable housing. I would like to take the opportunity to thank Strathcona county for continuing to work towards affordable housing solutions, including the consultations taking place this week, and I hope that the proposed inclusionary housing clauses will help toward the much-needed provision of affordable housing for singles, families, and seniors in my constituency.

Madam Speaker, I once again would like to congratulate the minister on this bill and the work that she and her staff did to consult. Thank you.

The Deputy Speaker: Questions or comments under 29(2)(a)? Fort Saskatchewan-Vegreville.

Mrs. Littlewood: Thank you, Madam Speaker. I just wanted to touch on something that the member was talking about, the consultation with school boards. I know that school boards had not been included in the MGA process prior to the election last year, and I was just wondering if the member could further elaborate on why it was important to engage the school boards.

Ms McKittrick: Thank you for the question. As you all know, finding space for schools is a challenging thing for school boards throughout the province, again, be it in the big urban areas or even the small areas. Schools need to find space that is appropriate, that has the right kinds of road and transportation systems and also that matches the existing bylaws and planning of municipalities. I know that in my riding, like probably many other ridings, there have been a lot of challenges for school boards to work with municipalities to make sure that land is reserved, especially appropriate land. So I feel that the provisions under the proposed modernization of the Municipal Government Act will encourage both municipalities and school boards to work together to make sure that the land is reserved and that we can build the schools that all municipalities need.

Thank you.

The Deputy Speaker: Any other questions or comments under 29(2)(a)?

Seeing none, I'll recognize the hon. Member for Drayton Valley-Devon.

Mr. Smith: Thank you, Madam Speaker. I would like to start my comments today by thanking the hon. minister for the hard work that she's put into this bill. I know that over my year and a half it has been a topic of conversation in the many municipal town and county councils that are throughout the Drayton Valley-Devon constituency. I know that this bill, the Modernized Municipal Government Act, is a huge act. Attempting to address all of the myriad needs in a municipal government and to do so in a way that meets all of those needs is a very challenging job, so I thank her for her efforts.

I'm sure that as we progress through this bill, we will have the opportunity to have some debate about where this bill progresses, where it goes, and whether or not there are areas that we can amend to further enhance the effectiveness of this bill.

You know, over the past year I've been reminded again and again, as I've met with my municipal councillors and county councillors, just how important the work is that these elected officials do for the constituents that I represent. You know, whether we're talking about a town or a village council or a municipal district, these individuals show great leadership as they attempt to meet the needs of their constituents. As a matter of fact, I often think that many of these individuals that I've come to admire in my constituency, Madam Speaker, show what I would consider a servant leadership, that in many ways they are there primarily to serve the needs of their constituents. I have a great deal of admiration for them. They put in countless hours, and they have a depth of knowledge of the issues in their constituencies and their areas of concern.

They are quite amazing when I consider that they are the most intimately connected to the people. Of all the levels of government that we have, whether it's provincial or federal, it's the municipal district, the municipal councillors, the town councillors, and the village councillors that are so completely and intimately connected to their constituents, and that brings both blessings and sometimes headaches as they try to deal with some of these concerns. I've learned, as I'm sure many of the MLAs in this Legislature have learned, Madam Speaker, that these elected officials at the municipal level have just as challenging a job as what we have. I have a great deal of admiration for them.

5:50

But these municipal elected officials must face a unique set of circumstances. They have a unique set of issues that they need to address. It's the municipal councillor that often faces these unique issues, often from a position that is very different from ours, as provincial or even as our federal counterparts would agree. Perhaps one of the biggest differences is that at least in my constituency, in the smaller towns and villages of my constituency almost everybody in their community knows their councillor. Everyone knows your county councillor or your municipal councillor, and it's these municipal officials that everyone feels very comfortable in contacting directly. They often know where you live, and they often have your phone number, and they are quite willing to stop you on the street whereas perhaps some of us provincial politicians or our federal cousins have a little more anonymity.

To be able to have an act that governs all of these realities is a challenge, and that's why I think it's so important that we MLAs, when we address this bill, do the best job we can to get it right. This bill will affect every Albertan in this province in probably the most

direct of ways. It provides supports to the municipal governments. This bill will cover a huge, wide-ranging area of things that are important at the municipal level, everything from centralized assessment to taxation ratios to solving problems between citizens that they may have with each other and even with their level of municipal government. So it's very important for us to deal with this and to get it right, and I'm sure that in the 15 or 20 minutes that I have to talk about it today, we are only going to be able to just scratch the surface of this bill.

Now, some of the parts of this bill are controversial. I have received diametrically opposed positions from constituents who are looking to see what this bill will do for their lives at a municipal level and what it will mean for the distribution of scarce tax dollars. In some cases I'm being told that we should take a look at linear taxation and in others that we'd better keep our hands off it. Sometimes the advice and the concerns can be quite different, one from the other, for like all levels of government, there is almost never enough money to meet all of the legitimate needs that almost any level of government has.

We're tasked with a job here when we look at Bill 21. How can we best help local government meet the needs of the community that they serve? How can we facilitate, you know, the building of roads and the providing of services that every one of our citizens needs at a local level? How can we provide the pools and the recreational centres, the skating rinks and the parks? How can smaller municipal towns co-operate with larger counties, that may have a much larger linear tax base? Yet the counties have their own unique concerns: how do they serve a smaller population, probably, but one that's more spread out and has the challenges of dealing with the problems of distance?

You know, in my constituency I have towns and I have county councils that have exemplary records of co-operation, but I also have towns and councils in my constituency that are made up of very hard-working and dedicated individuals that sometimes struggle over how to co-operate in the provision of the services that their constituents want and need and especially over how they can fund those ventures jointly where needed. That is the challenge that we have before us today, a challenge that we must seek to address and one that I'm sure, as this Legislature moves forward, we'll be able to do successfully.

Now, of all the pieces of legislation that have come before me, I think this is one where the debate in this House is actually going to have to be used to guide me as we move through the many different pathways that this bill can take us. I'm going to be leaning heavily on the discussions that I've had over the past year with various councillors, with the businesses and the residents in my constituency. I'm going to be leaning heavily on the advice that I've received from some of the stakeholders in education that we've been talking to when it comes down to dealing with off-site levies and the likes that affect education.

Know this, that as we go through this bill and as we start having more time to debate the issues that are going to be coming forward in this bill, I will be listening, and I will be referring back to the individuals and to the stakeholders that have been in conversation with me.

You know, over the last year and a half that I've been an MLA, I've learned at least one valuable lesson when it comes to municipal politics: don't stick your nose where it doesn't belong. If you're a rural MLA, you've probably learned this lesson as well. You share the same constituents as your local level of government, and if it hasn't happened already, it will happen that a municipal issue will arise where you will be asked to intervene. If I could give one piece of advice: don't. There is a reason why we have different levels of

government, and sometimes, Madam Speaker, we must impress upon ourselves as MLAs and upon our constituents that local municipal issues must be dealt with by the elected municipal representatives themselves. There are channels set out in the MGA for them to address the issues and not particularly for the MLAs.

I understand that people can be upset over decisions that are made at a local level. I mean, I can remember being a citizen in my own town. I live in a cul-de-sac in Drayton Valley, and I remember being faced with my kids being all under the age of five and with probably seven or eight additional kids of the same age in that cul-de-sac when a group home for troubled youth was going to come smack dab into our cul-de-sac. This was the third time in our town that they had tried to place the group home in an area that would be suitable for it. I can honestly say that at that time the parents and the families that were in that cul-de-sac worked very, very hard to try to figure out a way that they could be reassured that their children would not be adversely affected while at the same time making room for this group home.

Now, eventually the town ruled in such a fashion that they would allow the group home into that cul-de-sac, and some of us appealed it. At the end of the day that appeal ruled in our favour. I've always felt that it sort of left a bad taste in my mouth, that it left a bad taste with everybody when they looked in the mirror. I'm not sure that anybody was happy with the process that we went through there. But these kinds of issues happen every day at the municipal level of government.

I think I bring that up because, I mean, we have had people that have come to us and asked: well, what about the processes that are open to the constituents at a municipal level to appeal the decisions that are being made? Is there room for a place for an ombudsman? You know, I'm not sure that I have the answer on this one. I understand and I can hear the citizens that would like to have that option, that additional option for residents that sometimes feel that maybe they haven't been heard or that they were not in agreement with the decision that was made by the municipal government. While I understand their position and even at times think it would appear to be a logical next step, I do have some reservations.

6:00

Municipal government is supposed to be the most local level of government, with elected councillors that understand the local issues and are therefore best suited for making decisions. In my experience, that is almost always the truth. Even if the decision I referred to earlier in my cul-de-sac had not turned out the way that I had lobbied for with my neighbours, I would have had to admit that I had at least been listened to, that I had had a fair opportunity . . .

The Deputy Speaker: I hesitate to interrupt, hon. member. Pursuant to Standing Order 4(2) the Assembly stands adjourned until tomorrow morning at 9.

[The Assembly adjourned at 6:01 p.m.]

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