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The 27th Legislature
Third Session

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The Honourable Kenneth R. Kowalski, Speaker

Legislative Assembly of Alberta

The 27th Legislature

Third Session

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Legislative Assembly of Alberta

1:30 p.m.

Monday, April 12, 2010

[The Speaker in the chair]

Statement by the Speaker

End of an Era

The Speaker: Please be seated.

Hon. members, in place of prayers today the House will in a moment commemorate the end of an era. In the Speaker's gallery today are a number of distinguished leaders in our province. As I call out their names, I'd ask them to rise: Lieutenant Colonel Rick P. Coates, commanding officer, the King's Own Calgary Regiment; the Hon. Daniel P. Hays, honorary colonel, the King's Own Calgary Regiment, and former Speaker of the Canadian Senate; Regimental Sergeant Major Emmett Kelly, the Calgary Highlanders; Colonel Robert J.S. Gibson, honorary colonel, the Calgary Highlanders; Lieutenant Colonel Wayne A. Lockhart, commanding officer, the South Alberta Light Horse; Colonel Stan Milner, honorary colonel, the South Alberta Light Horse; Colonel Dennis M. Erker, honorary colonel, the Loyal Edmonton Regiment; Lieutenant Colonel John Stanton, honorary lieutenant colonel, the Loyal Edmonton Regiment; Mr. Bill Fecteau, command chairman, Royal Canadian Legion, Alberta-NWT Command; Lieutenant Colonel Thomas Bradley of the Edmonton Garrison; Major Timothy Tattrie of the Edmonton Garrison; Chief Warrant Officer Keith Jones of the Edmonton Garrison; Master Warrant Officer Russell Vida, Edmonton Garrison; Sergeant Justin Redmond, Edmonton Garrison; and Corporal Grant McKenzie, Edmonton Garrison.

I'd like to place the significance of their presence and this event in context. On this day 93 years ago a battle that in many respects defined this nation concluded with victory after three days of intense combat. Vimy Ridge evoked in the 48 battalions of the Canadian Corps, who rose as one for the first time on April 9, 1917, a pride in a singular achievement. In our country and in this province that growing sense of patriotism was widely embraced.

To that point and thereafter much was given by a generation that we remember and mourn today. From this Assembly we remember Lieutenant Joseph Emmett Stauffer, MLA for Didsbury and Deputy Speaker, who was killed in action at Vimy on April 10, 1917. Alberta had over 48,885 men enlist; 6,140 were killed, and 20,000 were wounded during World War I. Alberta's population in 1917 was 496,525. Nearly 10 per cent of Alberta's then population enlisted and served in World War I.

In the Speaker's gallery today there are representatives of well-known Alberta regiments: the South Alberta Light Horse, the King's Own Calgary Regiment, the Loyal Edmonton Regiment, and the Calgary Highlanders. All fought at the Battle of Vimy Ridge and carry that Battle Honour. In the first Great War, of the 18,796 who served in these four regiments, 3,884 were killed in action or died of wounds and 9,960 were wounded. Few communities or families within our borders were untouched in some way by that conflict.

With the death on February 18 of this year of Canada's last World War I veteran, Jack Babcock, the living link with all who served sovereign and dominion in that pivotal event has been severed forever. Many of a generation that was young, confident, and full of promise gave much that we might be here in this place today. They are now all gone. Our direct link with them has ended, but we will remember.

I would ask that you rise for the *Last Post* and *Reveille*, played by the King's Own Calgary Regiment bandsman Master Corporal David

Ramsey of Calgary, and the *Lament*, played by Calgary Highlanders piper Private Cameron Drummond from Strathmore. In the moment of silence that will follow the *Last Post*, would you please privately pray for all of the innocent victims of war, the Holocaust, genocide, and Poland's lost leadership.

[The *Last Post* was played, followed by a minute of silence, after which the *Lament* and *Reveille* were played]

1:40

The Speaker:

They shall grow not old, as we that are left grow old:
Age shall not weary them, nor the years condemn.
At the going down of the sun and in the morning
We will remember them.

Hon. Members: We will remember them.

The Speaker: Hon. members and ladies and gentlemen, I will now invite Mrs. Colleen Vogel to lead us in the singing of our national anthem. She's in the Speaker's gallery.

Hon. Members:

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

The Speaker: Please be seated.

Introduction of Visitors

The Speaker: Hon. members, I'd now ask our very special guests from the Canadian military to rise and be recognized. I've introduced them all. Gentlemen. [Standing ovation]

The hon. Minister of International and Intergovernmental Relations.

Ms Evans: Thank you, Mr. Speaker. It's an honour to rise today and introduce to you and through you to the members of the Assembly His Excellency Justin Hugh Brown, making his first official visit as High Commissioner from the obviously wonderful country of Australia, and with him the honorary consul from Calgary, Paul Nelson, who is accompanying him today. We've had over 70 years of relationship with Australia, and it is noteworthy that Alberta's entrepreneurial spirit is very much the same as the Australian entrepreneurial spirit. Along with some Members of this Legislative Assembly and special guests we were privileged to host them for lunch today. I would ask that they now rise and that this Assembly give them the warm Alberta welcome, please.

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

Mr. Bhardwaj: Thank you very much, Mr. Speaker. It's an honour for me to rise today and introduce to you and through you Mr. Sewa Singh Sekhwan, Minister of Information and Public Relations and NRI Affairs, from Punjab, India, seated in your gallery today. Minister Sekhwan was the chief guest yesterday at the eighth annual event for *Des Pardes Times* newspaper and is joined in your gallery today by Mr. Gurbhinder Singh Sandhu, publisher and editor-in-

chief of *Des Pardes Times*. Also joining the minister today is his son, Jagroop Singh Sekhwan, who is in the members' gallery today, and two of his daughters, Dr. Jiwanjot Kaur Sekhwan and Dr. Akal Kaur Sekhwan. I ask all of my guests to please rise and receive the traditional warm welcome of the Assembly.

My second introduction is a group of friends and members of the community joining us today as well, beginning with prominent businessman and friend Gurcharan Dhaliwal, Manjot Kaur Sandhu, Mr. Amar Bhasin, Mr. Gagan Vidhu, Sam Pandher, Parap Singh, Kamal Layel, Mr. Amarjit Pancho from Winnipeg, and, joining us from Calgary, Jagdeep Singh Sidhu. I ask my guests to please rise and receive the traditional warm welcome.

Introduction of Guests

The Speaker: Hon. members, I have a very long list today, and surely we will come up against Standing Order 7(1), which says that the question period should begin at 1:50. I'm also advised that there are a number of members who want to participate in a ministerial statement. I'm going to ask the question if there's unanimous consent that can now be given to waive Standing Order 7(1), which will preclude the question period from beginning until probably 2 o'clock so that we can continue the Routine with introductions and then process and continue with Ministerial Statements. Is any member opposed to waiving this standing order? If so, say no.

[Unanimous consent granted]

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

Mr. Horner: Well, thank you, Mr. Speaker. Indeed, it's a pleasure for me to rise and introduce to you and through you to members of the Assembly a group of grade 6 students from l'école Broxton Park school in Spruce Grove. They are accompanied by a number of the parents and their teacher helpers as well as Jen and Ali, the daughter and granddaughter of my constituency assistant, Carol Stewart, in Spruce Grove. In the interests of time I would ask them to rise – they are in the public gallery, I believe – and receive the warm welcome of this Assembly.

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

Mr. Amery: Thank you, Mr. Speaker. It's my pleasure to rise and introduce to you and through you to all members of the Assembly 18 students who attend school daily in a unique concept of schooling called live online. This program is offered by the Edmonton public school board, but in this case it's home based in my constituency. Grades 4, 5, and 6 come to school by logging in online. This week they are participating in the School at the Legislature from April 12 to April 16. The students are accompanied by their teacher, Elaine Blanton, and helpers and parents Sherri Fraser, Barbara Ek, Jo-Anne Price, Abdulgani Salman, Chris Power, Sandy Mackenzie, Grace Stewart, Carla Feldberg. They are seated in the members' gallery. I'd like to ask them to rise and receive the traditional warm welcome of the Assembly.

The Speaker: The hon. Minister of Housing and Urban Affairs.

Mr. Denis: Thank you very much, Mr. Speaker. It's my pleasure to rise in this Assembly and introduce to you and through you to the members of this Assembly nine students and their instructor from St. Mary's University College, located in the constituency of Calgary-

Shaw. I had the pleasure of speaking to their class on March 3 of this year, and I have to say that their political insight and knowledge are incredible. I fully expect to see some of them here as members of this Assembly someday. I'd ask you to please welcome first their professor, Dr. Marco Navarro-Génie – I'd ask you to please stand as I mention your name – and students Amanda Achtman, Daniel Boutette, Laura Carrier, Chelsea Glover, Taylor McKee, Sarah Moss, Laura Reuben-Spear, Melanie Wedel, and Martha Zweifel. I hope I've got all of your names right. I'd ask all of you to please give them the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Municipal Affairs.

1:50

Mr. Goudreau: Thank you, Mr. Speaker. I've got a couple of introductions to do this afternoon. It gives me great pleasure to introduce to you and through you to all members of this Assembly a number of municipal leaders from the Athabasca, Redwater, and Fort McMurray areas. I had the pleasure of meeting with them through the hon. Member for Athabasca-Redwater over the noon hour today. I'm very grateful for their dedication and tireless effort in serving and representing their communities.

With us today are Bill Nimmo, mayor of Gibbons; Dave Franchuk, mayor of the town of Smoky Lake; Charles Newell, reeve, county of Thorhild; Karen Melnyk, town of Bon Accord; Jim Neathway, town of Redwater; Brian Bahry, deputy reeve, county of Athabasca; Donna Troyer, mayor, village of Waskatenau; Don Rigney, mayor of Sturgeon county; Paul Sinclair, reeve, municipal district of Opportunity; Roger Morrill, councillor, town of Athabasca; Jim Giancola, deputy mayor, village of Boyle; and Mike Allen, acting mayor of the regional municipality of Wood Buffalo. They are in the members' gallery, Mr. Speaker, and I'd ask them to please rise and receive the traditional warm welcome of this Assembly.

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

Mr. Horne: Thank you very much, Mr. Speaker. I'm delighted to introduce to you and through you today to all members of the Assembly Mrs. Loreen Morrison and her granddaughter Ms. Stephanie Wertz, both from my constituency of Edmonton-Rutherford. Mrs. Morrison recently celebrated her 80th birthday. She has had a lifelong interest in politics, and I'm delighted to welcome her on the occasion of her first visit to the Alberta Legislature. I'd ask all colleagues to please join me in extending our traditional warm welcome to my guests.

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

Dr. Sherman: Thank you, Mr. Speaker. I'm honoured to introduce to you and through you to all members of this Assembly 14 of 102 members of the Edmonton chapter of the Entrepreneurs' Organization, a network of young small-business owners representing a wide cross-section of industries with the goal of growing and learning from one another in order to increase business success and enrich not only their personal lives but the lives of all Albertans. These are young people who have an idea and a dream, a dream to work hard and create jobs for this province and for this province to succeed. Really, the backbone of this province is small business.

They are here today meeting with me and other members of the Assembly, some of whom were also small-business owners prior to getting elected. Taking a keen interest in how our government operates, they are seated in the members' gallery. I would ask them

to rise as I call their names: Kyle Powell, Clive Oshry, Ken Nichols, Dwayne Pohranychny, Joe Cairo, John McLaughlin, Michael Bacchus, James Keirstead, Kevin Lang, Wes Patterson, James Ward, Craig McEwen, John Trapp, and Noah Jones. I'd like all of my colleagues to give them a warm welcome to the Assembly.

Thank you.

The Speaker: The hon. Member for Cardston-Taber-Warner.

Mr. Jacobs: Thank you, Mr. Speaker. I'm pleased today to rise and introduce to you and through you to all members of this Assembly Mr. Sam Johnston from Magrath, Alberta. Mr. Johnston has indicated to me that he wanted to come today as a token of his appreciation on behalf of the council in Magrath for all the support they receive from the government of Alberta. We're happy to have him here. He's seated in the members' gallery. I would ask that he please rise and receive the warm welcome of this Assembly.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to introduce you to three constituents from the fabulous constituency of Edmonton-Centre. Heading up the Edgerton clan, of course, I'd like to introduce to you someone you all know, and that's Kelsy Edgerton, who is one of the pages here in the Legislature. With her today, coming again to visit us, is Amber Edgerton, her sister. Amber, would you please stand. Amber is, of course, a young skier. We're joined by elder sister Alyssa, who is also an award-winning skier. I would ask the three of you to please stand and receive the warm welcome of the Assembly.

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

Ms Pastoor: Thank you, Mr. Speaker. On behalf of myself and my colleagues from Lethbridge-West and Little Bow it is my pleasure to introduce to you and through you to the members of the Assembly the winner of the Lethbridge public library's Caught Reading photo contest, Miss Hannah Forster, who is seated in the public gallery. The intent is to promote literacy and show that reading is a way to connect with the world. Of the 203 applicants this year, whose photos depicted everything from Braille to bus stop signs, it shows how literacy impacts our daily lives. Hannah won this trip to the Legislature, which was sponsored by both the Lethbridge-East and Lethbridge-West constituency offices, but she is also the constituent of the Member for Little Bow. Hannah's photo, entitled *Anywhere, Any Time*, is a depiction of the gift of literacy, and I will table the picture later on. Hannah's younger sister Shelby is the model in the picture and is here today in addition to their mother, Donna. This is their first visit to the Legislature. I would ask that they now rise and receive the warm welcome and congratulations of the Assembly.

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

Mr. Mason: Thank you very much, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all Members of the Legislative Assembly my guests from Parents against Closure of Schools. PACS is a group of people who have been affected by the recent closure, sector, or sustainability reviews initiated by the Edmonton public school board. My guests, who will be rallying at the Edmonton public school board offices tomorrow evening, are seated in the public gallery. I would now ask them to rise as I call their names and receive the traditional warm welcome of the

Assembly: George Tsoukalas; Dennis Deans; Pam Mollison, Len Mollison, their children Aurianna Mollison and John Mollison; Michael Izard; Douglas Thivierge; and Chantelle Oudshoorn. Please rise and receive the traditional warm welcome.

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

Ms Notley: Thank you, Mr. Speaker. It's my pleasure to rise today to introduce to you and through you to all Members of the Legislative Assembly my guests Lisa Maxwell and Kyler Tebbutt. Lisa was born in Australia, grew up in Calgary, and is currently working as an engineer in Calgary. Kyler is from Edmonton. He studied mechanical engineering at the University of Alberta and is now working on an MBA at UBC. They are both in Edmonton to celebrate Kyler's baba's 90th birthday. My guests are seated in the public gallery, and I'd now ask them to rise and receive the traditional warm welcome of this Assembly.

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

Mr. Boutillier: Thank you very much, Mr. Speaker. Indeed, it's a pleasure for me to introduce a constituent of mine who is a long-term resident, a former chamber of commerce president. He also just recently joined with me in presenting to Hockey Canada to host the Royal Bank Cup in the upcoming years. He's an active member of our community. I'd like to ask to rise Mike Allen, representing Fort McMurray, the oil sands capital of the world.

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

Mr. Zwozdesky: Thank you very much, Mr. Speaker. It's my pleasure to introduce a number of individuals who are here, all of them working with the Parkinson Society in one part of the province or another. I'll ask them to rise as I call their names, and perhaps we could then welcome all of them at the same time at the end: Mr. John Petryshen, CEO for the Parkinson Society of Southern Alberta; Myles Rusak, director of fund development; Judy Deverill, client services co-ordinator; Leslie Cleary, volunteer event co-ordinator; Alison Wood, PD client and volunteer; Ed Langlois, PD client and volunteer, and Darlene Langlois, accompanying Ed; Helen Mak, PD client and volunteer; Jim Haiste, board of directors, and Catherine Haiste, who is accompanying Jim today; Marguerite Wieler, who is the program manager; and Sue Vienneau, who is the PD client representative with the Parkinson's Society of Alberta. Marguerite is with the movement disorders clinic. They have all risen. Could we all please thank them by warmly welcoming them here today.

The Speaker: The hon. Minister of Municipal Affairs.

Mr. Goudreau: Well, thank you again, Mr. Speaker. It gives me great pleasure as well to introduce one of my constituents who has travelled to be at the Legislature today – she has travelled from Donnelly – Mrs. Rhonda Clarke-Gauthier. Both she and her husband, Daniel, farm a very, very modern family farm south of Donnelly. She is a proud mother of two sons, who are also involved in public speaking and part of TUXIS parliament. Rhonda is very involved in the 4-H club at various levels and is involved as well through her church. I'd ask her to rise and receive the warm welcome of the Assembly.

2:00

Ministerial Statements

The Speaker: I'm going to recognize the hon. the Premier to

participate in Ministerial Statements. I understand that the hon. Premier and the hon. Minister of Employment and Immigration will be doing this jointly. There is a translation of the words that the hon. Minister of Employment and Immigration will provide in his native tongue of Polish, and all members should have a copy of that.

The hon. the Premier.

Loss of Polish Leadership in Plane Crash

Mr. Stelmach: Thank you, Mr. Speaker. I rise today to express the profound sadness Albertans feel at the loss of Polish President Lech Kaczynski and the many other Polish leaders who perished in a plane crash in Russia last weekend.

Many Albertans enjoy close ties to Poland. Over 170,000 Albertans are of Polish heritage, including members of this House and many people here in our capital city, which is home to the largest Polish population in western Canada. In my own family my wife, Marie, is of Polish descent, and I know from experience, as many of you do, the tremendous closeness and strength of the Polish community in Alberta. This community stands united today mourning the tragic loss of life and potential.

In addition to President Kaczynski and his wife, Maria, nearly 100 political, military, and religious leaders were lost in this tragedy. The scale of this loss is nearly unimaginable. It represents so much knowledge and wisdom, the collective experience of a generation of leaders. Recovery from such a loss will be difficult but not impossible. I want the Polish community in this province and our brothers and sisters in Poland to know that Albertans stand with them. We share their loss and mourn their leaders, and we will support them as they move forward from this terrible tragedy.

Poland's history has included more than its share of hardships, including the very tragedy that its leaders were under way to commemorate in Katyn when disaster struck. Poland is also rich in culture and the values of family and faith, values its people have shared with our own province and which remain just as strong today both here and in their homeland. Those are the values that will help Poland emerge from the shadow of this disaster and continue on its path as a valued member of the world community and a treasured friend to our province and country. Poland's lost leaders will never be forgotten, and their legacy will be a country that remains and always will be strong and proud.

The Speaker: The hon. Minister of Employment and Immigration will provide remarks in Polish, the translation of which will be circulated at the conclusion.

Mr. Lukaszuk: Thank you, Mr. Speaker. Shortly after the tragedy occurred, our Premier issued a letter of condolence in the Polish language addressed to the Premier of Poland, and for the benefit of Poles throughout Alberta, Canada, and in Poland thank you for allowing me to read this letter. [Remarks in Polish]

[Translation] On behalf of the families and government of Alberta, we express our heartfelt condolences on Poland's loss of President Lech Kaczynski, the President's wife Mrs. Maria Kaczynski, and the members of the Polish delegation and plane crew who were traveling with them to Katyn.

As families, we can only imagine the sorrow that you must be feeling in the loss of so many of your country's brightest fathers, brothers, mothers, sisters and friends. Their work had impact across your country, and it was followed with great interest by the 170,000 Albertans of Polish origin whose family, business and cultural ties with Poland are strong.

And as a government, we appreciate the challenges ahead as you work to replace the political, security, financial, legislative, and cultural knowledge which these strong leaders represented. We are

confident that talented people will carry on the important work that they had started.

As soldiers in international missions, as partners in security, as colleagues in business and trade, and also as friends, Albertans have been proud to stand with the people of Poland. This is a difficult time for your people and government. Our prayers are with you, now as always. [As submitted]

Thank you, Mr. Speaker.

Mr. Hehr: Mr. Speaker, I'd like to thank the Premier and the Minister of Employment and Immigration for their eloquent tributes to the Polish government and its people.

This Saturday, as my colleagues mentioned, a tragedy struck the nation of Poland. Ninety-six passengers, mostly senior government officials, perished in the skies over western Russia. It is an especially sad coincidence that such a catastrophe would occur during the first legitimate attempt to heal the 70-year-old wound that resulted from the Katyn massacre.

The tragic events that occurred in the Katyn forest in 1940 and resulted in the murder of 20,000 Polish officers by the NKVD had divided these nations for a generation. Because the Soviet Union refused to admit responsibility for the massacre and the postwar communist authorities in Poland forbade any discussion of the topic, no reconciliation began until Mikhail Gorbachev admitted Soviet responsibility in 1990.

Since that time the lines in the sand drawn by the Polish and Russian governments regarding Katyn have begun to move. Poles have come to view Russia's recent attempts to heal the pain caused by Katyn as a significant step on the road to improved relations. I sincerely hope that this tragedy which has befallen the Polish nation, although it comes at much too great a cost, will promote reconciliation between these two great nations and deepen the meaning and understanding of the underlying events at Katyn.

I ask you my colleagues in this Assembly to stop for a moment and spare a thought for the victims, the Polish nation, and Alberta's large Polish community in the wake of this terrible tragedy. Thank you.

The Speaker: Hon. members, I anticipate additional members will want to participate. Unanimous request will have to be given. I'll ask one question. Does any member in the Assembly object to additional members participating? If so, say no.

[Unanimous consent granted]

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

Mr. Mason: Thank you, Mr. Speaker. The news of the loss of many of Poland's most senior leaders in a plane crash on Saturday is terrible not only for the loved ones of those who lost their lives, not only for the people and nation of Poland but for us in Alberta as well. This province has been enriched by the important contributions and participation of people of Polish heritage over our history, and there are probably few of us who do not have family or friends with this heritage.

I extend condolences to the Polish people and to all Albertans of Polish descent, personally and on behalf of Alberta's NDP, at the time of this terrible event. It will be a great challenge to move forward in Poland with so many people gone who carried the skills and experience vital to strong leadership, but we know that this is a nation with great reserves of strength, and its time of mourning will be followed by a courageous recovery.

To Albertans of Polish background and to the people of Poland I add my voice to that of the many Albertans who share the sadness and the pain at this time, who say that we care, that our hearts are with you in this difficult time. Thank you, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Mr. Speaker. April 10, 2010, will be a day that Polish people will never forget. Polish President Kaczynski and many influential Polish leaders perished in a plane crash in Russia. On behalf of our caucus we would like to express our sympathies to the Polish communities.

We wish that we could turn back time and delete this tragic event from our history, but, sadly, we cannot. With time the Polish people will recover from this devastation. Now it's time for reflection and coming to terms with the pain that we have all recently suffered. Thousands have gathered in mourning, lining the streets, carrying flowers, candles, and Polish flags in memory of those that were lost in this horrible plane crash.

Mr. Speaker, tragedy brings people together, and once again our hearts go out to the family and friends of the Polish people who lost their lives and to those sharing in their loss. Thank you.

2:10

Oral Question Period

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

Government Decisions

Dr. Swann: Thank you, Mr. Speaker. This government flies by the seat of its pants. It has no long-term plans, only reactions to issues of the day. It has flip-flopped on everything from cuts to foster parents, persons with developmental disabilities, ambulance dispatch centralization, Calgary cancer centres, the seniors' pharmaceutical plan, postsecondary tuition, and more. To the Premier: how can Albertans depend on anything you or your ministers say when there seems to be so much confusion and backtracking on the part of your administration?

Mr. Stelmach: Mr. Speaker, we just approved a budget before we broke for the Easter break. The budget and the documents with the budget clearly articulate Alberta's position. We will be back in the black in three years. We will be in the best financial position of any province in Canada, and we will lead this country out of its recession.

Dr. Swann: Mr. Speaker, with respect, I'm talking about flip-flops, Mr. Premier. Given that the decision to cut critical services profoundly affects Albertans, why does this government continue to release policy before ensuring that it's the right decision for Albertans and you won't have to change it in the next week or month? It's about flip-flops.

Mr. Stelmach: Mr. Speaker, we've had to make difficult decisions with this budget to find a balance between the loss of revenue that we've seen as a result of this recession. We've also been able to tap into a cash surplus fund, the sustainability fund, to cushion the blow to the revenue and protect the programs that help the most vulnerable Albertans. They're in a variety of programs, including health, and I believe we're still the only jurisdiction in Canada to provide an increased five-year funding commitment for health. I can tell you that we're not changing any position on that.

Dr. Swann: Well, in fact, the reverse is happening, Mr. Speaker. Given that seniors have been left completely in the dark, unable to budget for their future pharmaceutical costs, and postsecondary students still don't know if they'll be able to attend school this next semester, will the Premier admit his mistakes and apologize to Albertans for this consistent pattern of flip-flops?

Mr. Stelmach: Mr. Speaker, we continue to have some of the best programs for seniors in the country of Canada here in the province of Alberta.

With respect to tuition fees, we kept our promise. We said that tuition fees would not increase more than the CPI, the consumer price index. There were some adjustments made as a result of tuition fees set much lower going back to 2004. The minister made those adjustments, and the minister may want to speak to those adjustments he made last week.

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

Cataract Surgery

Dr. Swann: Thank you, Mr. Speaker. With three days' notice this government reduced cataract surgery capacity by reducing the number of publicly funded cataract clinics in Calgary from five to two. This created an even greater bottleneck for people to get access to the care they needed. The cataract surgery system in Calgary has been thrown into chaos. To the Premier: why was there only three days' notice given to some cataract surgery providers in Calgary that their cataract surgeries were going to be terminated?

Mr. Stelmach: Mr. Speaker, because of the decision that was made, I believe over 2,100 additional cataract surgeries will be able to be completed in this province. Again, as to the details the minister may want to supplement.

Dr. Swann: Well, given that the best way to handle this would have been to let the facilities complete the surgeries that had been booked and then not book any additional ones, why did the Premier not order this action to be taken? What's the explanation?

Mr. Stelmach: All I can say is that no surgeries have been cancelled. I don't know where the hon. member is getting the information, but no surgeries have been cancelled. In fact, 2,100 new surgeries have been added.

Dr. Swann: Well, clearly the Premier doesn't know what's happening in Calgary.

Will the Premier immediately order the minister of health to begin plans to start a publicly funded cataract surgery centre in Calgary as a way of bringing stability and consistent cataract surgery to Calgarians?

Mr. Zwobdesky: Mr. Speaker, there are a couple of facilities in Calgary that are very public that do certain ophthalmological procedures. The bulk of those procedures are cataracts, and they have typically been competed for by facilities who submit bids so that Albertans get good cost effectiveness at the same time as they get good quality and good patient safety. We're working now on the second blitz. As you may recall, we did a preliminary blitz back in February. That included 2,230 additional surgeries, 750 or more of which were cataracts. We're just looking at other ways to shorten the wait times that exist.

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

Health Services Executive Bonuses

Dr. Taft: Thanks, Mr. Speaker. Last week Alberta Health Services' workforce engagement survey was released. The results revealed what everyone working in our health care system knows: there is no trust in upper management. Only 10 per cent of physicians and 28 per cent of employees responded that they have trust and confidence in senior leadership. My question is to the Minister of Health and Wellness. Will the minister ensure that this important feedback from front-line workers is taken into consideration when Health Services executive bonuses are determined?

Mr. Zwozdesky: Mr. Speaker, there are a number of people who work double time and triple time to help retain the excellent service that we provide to Albertans through our health departments. Now, there are some issues to do with what the member just mentioned. We are looking at those. I've already discussed those with the board chair and with the CEO, and they will put in place strategies to increase and improve their communication if that's where the gap is or to design policies that perhaps better reflect what Albertans require.

Dr. Taft: Well, Mr. Speaker, clearly everybody in the system and many outside it know the system is breaking down, so my question to the minister is: why do senior executives in Alberta Health Services, who are already getting paid hundreds of thousands of dollars a year, need bonuses to do their job?

Mr. Zwozdesky: Mr. Speaker, the system is not breaking down at all. For heaven's sake, we just added the best long-term planning capabilities that this province has ever had. There's a five-year funding plan that's coming, which will provide additional 6 per cent increases in the first three years and an additional 4.5 per cent increase in years 4 and 5. That will bring about stability, that will bring about predictability and sustainability, and in the end it will deliver the best-performing publicly funded health system in the country right here in Alberta, just as our Premier said.

Dr. Taft: Mr. Speaker, the issue right now is the question of bonuses for managers who are clearly failing at their job. Given the abysmal staff survey, the policy confusion, handing this government a \$1.3 billion deficit, will the minister ensure that not a single executive bonus is given to these managers out of the '09-10 budget? Will you just stand up to them and say no?

Mr. Zwozdesky: Mr. Speaker, I can tell you that everything in health care is under one form or another of discussion or review, and I will add to that list the issue that has just been flagged. You have to provide some incentives for people – certainly, you do – but at the same time you also have to provide some assurance that they're on the right track, and that's what our five-year funding plan will do.

The Speaker: The hon. Member for Calgary-Fish Creek.

Cataract Surgery (continued)

Mrs. Forsyth: Thank you very much, Mr. Speaker. Last week I had the opportunity to meet with constituents in Calgary-Fish Creek and many Calgarians. They wanted to discuss with me what they considered a bad decision made by the government. It relates to the

recent announcements by the government to reduce the number of operating rooms for cataract surgeries from 10 to four. My question is to the Premier. Can he please explain how awarding a cataract surgery contract to a company that doesn't even have approved or accredited operating rooms is supposed to help Albertans?

Mr. Stelmach: Mr. Speaker, in the previous question I indicated that there's actually an increase in the cataract surgeries. The minister can again outline the plan for cataract surgeries in the province of Alberta.

Mr. Zwozdesky: Mr. Speaker, there are a number of people providing fully medically insured ophthalmological services in Calgary. We'll see how the bidding goes, but they will continue to have the opportunity to do that when we roll out the second blitz very soon.

2:20

Mrs. Forsyth: Given that you started with 10 operating rooms to perform critical cataract surgeries and you reduced that number to four, do the math, and you take away six. How does the Premier expect Albertans or Calgarians to believe that this will only have a minimal impact on those who are waiting for surgery to give them proper sight?

Mr. Zwozdesky: Mr. Speaker, I've received phone calls from some of the individuals involved at these surgical facilities, and the ones that called: I answered their calls, spoke with them. They said that every patient on their list has been phoned and has now been scheduled with a new time. In most cases they're very close to where they were scheduled before. But let's not make any mistake about it: every suite that is providing medically insured ophthalmological services is fully accredited.

Mrs. Forsyth: Mr. Speaker, they've been phoned, they've been scheduled, but it's been delayed again.

Will the government do the right thing and continue to fund the current cataract surgeries, cornea transplants, and eye surgery providers until all of the new providers are accredited in September, Minister – approved, up and running – so that no Albertan is delayed in getting their critical eye surgery?

Mr. Zwozdesky: Mr. Speaker, I think the hon. member is probably talking to the expansion of two or three or four or more operating suites that are coming into one particular winning-bid facility. That being the case, I'm told that they're expected to have that completed some time in May or June and that accreditation, which is done by the college, will follow very shortly thereafter.

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

Mr. Mason: Thanks very much, Mr. Speaker. There's a backlog of people waiting for cataract surgeries in Alberta, and guess what this government's response was? Typically, their response was to reduce the number of facilities where surgeries are paid by the public system for those procedures. The people who were expecting to have these surgeries done immediately were stunned to hear that their long-awaited surgeries were called off and that they're back on a wait list. My question is to the Premier. Why has this Premier been so short-sighted that he has delayed surgeries for those who are living in the darkness with cataracts?

Mr. Stelmach: Well, Mr. Speaker, as I said before, we're actually doing more. As the minister has outlined, we're looking at a process of not only improving the quality but increasing access to cataract surgeries. The minister has worked with Alberta Health Services, just articulated the plan in terms of what will be happening, and this is all part of trying to bring more people access to various health care programs in the province. He has worked very closely and is on his path to increasing the number of surgeries, not reducing them.

Mr. Mason: Well, Mr. Speaker, this Premier and the truth are often strangers. How does less become more? Given that hundreds of Albertans are continuing to have their lives negatively impacted by cataracts and given that this government has just reduced the number of facilities performing this life-enhancing surgery, will the Premier admit that he has caused undue stress on Albertans who are patiently waiting to have their vision restored by forcing them to wait even longer?

Mr. Stelmach: Mr. Speaker, it is in the best interests of Albertans to seek the best value for the health care dollar. That is what the process has been all about. It's about getting good-quality service, making sure that the costs are comparable. This is what the minister has done. We will continue to look at every other opportunity as to where we can increase access to various health care programs in the province of Alberta yet do it within the dollars that we have to work with.

The Speaker: The hon. member.

Mr. Mason: Thank you, Mr. Speaker. Given that this government continues to create chaos in our public health care system by making decisions that increase wait times and given that any increases to wait times will only cause further distress to patients and their families, will the Premier take immediate action to reverse this decision to make sure that people who need cataract surgery to see properly get it in a timely fashion?

Mr. Stelmach: Mr. Speaker, I can't see how the hon. member can say we're creating chaos. We're the only jurisdiction in North America that has actually rolled out a five-year increased funding proposal commitment to Alberta Health Services. That's the only jurisdiction in Canada to do so. How in the world – you know, I don't know where the member is coming from, saying that people don't have any predictability or even access to health care. We're the only jurisdiction that's increasing for five years.

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

Postsecondary Tuition Fees

Mr. Chase: Thank you. Mr. Speaker, this government has subjected postsecondary institution students and their families to a six-month-long experiment. Last October a trial balloon was floated to see if tuition could be significantly increased in a number of academic programs, but the government was forced to pull back last week due to sustained political pressure. To the minister: now that the minister has created a precedent for adjusting tuition rates outside of regulation, how can Albertans be certain tuition won't be adjusted again one or two years down the road, perhaps to correct errors from 2010?

Mr. Horner: Mr. Speaker, there are a lot of inaccuracies in that preamble that would take me a lot more time than you're going to

allow me to answer. Suffice it to say that the students who worked with us on this process from the start, as admitted to by the president of CAUS during our press release when we announced this, worked with us to ensure that we were only doing this once. That was my comment, and that is the reality.

Mr. Chase: In the former reality CPI was the only increase, so here's our new reality, which changes every day.

Given that in grade school you have to show your work on any mathematical calculations, why is this minister not bringing forward any information about the criteria or evaluation process he used to assess tuition rates?

Mr. Horner: Mr. Speaker, it's interesting that the hon. member seems to neglect the fact that I spent an hour and a half with the students prior to announcing to anyone else what we were doing in terms of the modifiers. I explained to the students, actually about six or seven months ago when we started this process, exactly what the criteria were going to be, how we were going to assess it, and then showed them that day that that's exactly what we did. They seemed very happy with the process.

The Speaker: The hon. member.

Mr. Chase: Thank you, Mr. Speaker. The hon. minister of advanced education reduced and delayed the pain, but it's there in 2011. If the minister ever gets around to creating a regulation for mandatory fees, why should students believe that it will be enforced when they've seen tuition regulations discarded when convenient?

Mr. Horner: Mr. Speaker, the hon. member seems to be speaking like he's talked to the students and this is what they are telling him to say. That's exactly contrary to what is actually happening. We're working very closely with the student associations across the province, including those associations like ASEC, which represents about 100,000 students roughly, that had no tuition increase at all other than CPI and, in some cases, not even CPI. The fact of the matter is that the CPI cap on tuition in Alberta holds, one of the few in the country to actually hold with what they had committed.

The Speaker: The hon. Member for Edmonton-Decore, followed by the hon. Member for Edmonton-Gold Bar.

Noninstructional Postsecondary Fees

Mrs. Sarich: Thank you, Mr. Speaker. Several weeks ago the University of Alberta approved a new mandatory fee for students, and now I hear that the University of Calgary is considering to do the same today as the board reviews their budget. My questions today are for the hon. Minister of Advanced Education and Technology. What value is there in having a tuition fee policy when institutions within Campus Alberta can increase other fees whenever they like?

Mr. Horner: Mr. Speaker, that actually is a well-worded question for a change, which is good. The tuition fee policy is a policy which we fully endorse and which we're very committed to. It does help to ensure that our tuition rates across the board are only going to go up by the CPI, which is the 1 and a half per cent. That said, I agree that we do need to look at how we regulate noninstructional fees within the system because they do add to our affordability framework, and we are going to look at that.

Mrs. Sarich: To the same minister, Mr. Speaker: given that students are still having concerns, how can the minister reassure students that their concerns are indeed being heard regarding the fees? [interjections]

Mr. Horner: Well, hon. members, we believe in postsecondary. It's unfortunate you don't.

My department is in constant dialogue with the students. We are constantly working with them on the processes. In fact, as I mentioned to the hon. member, we met with them for a good period of time to talk about what we had structured around the modifiers. We've also invited the students to draft a regulation that we might be able to look at. That regulation was presented to me last week, and we've now circulated that to other student associations for their comments as well as to the postsecondaries. It's a collaborative Campus Alberta approach, Mr. Speaker.

Mrs. Sarich: Again to the same minister: will this regulation be in place for fall 2010?

2:30

Mr. Horner: As I said, Mr. Speaker, we just recently received a draft from one of the student associations. We're going to be working with them throughout the summer to work with the intricacies of the affordability framework, the tuition fee policy, and whatever that new regulation will look like at the end of the year. That being said, it will probably not be in effect for 2010.

The Speaker: The hon. Member for Edmonton-Gold Bar, followed by the hon. Member for Olds-Didsbury-Three Hills.

Employment Supports

Mr. MacDonald: Thank you, Mr. Speaker. The unemployment rate in Alberta was 7.5 per cent in March, which is 25 per cent higher than the government's projection for this fiscal year in the budget we just concluded debating. To the Minister of Employment and Immigration. Has the high unemployment rate increased demand for training programs to help unemployed people here in Alberta find permanent work?

The Speaker: The hon. minister.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. Any time an Albertan loses a job my heart goes out to them. It's obvious that work has not only a monetary value, but there's a moral value to having employment. My department, the Department of Employment and Immigration, is doing a number of things. Number one, we are now linking employers throughout the province who are still looking for workers with unemployed Albertans by way of hosting, through our 59 offices throughout the province, job fairs. We're also providing training, upgrading to individuals who need additional skills.

The Speaker: The hon. member.

Mr. MacDonald: Thank you. Again to the same minister. Speaking of those upgrades to skills, given that there has been a 7 per cent budget reduction in your department this fiscal year, where will you find the money to train these unemployed people so that they can find permanent jobs in this province?

Mr. Lukaszuk: Well, Mr. Speaker, it's obviously a spending day on that side of the House. Spending more money is not always the

answer to a problem. What I'm doing right now with the department is reprofiling the dollars that I have, and we are now focusing on skills that actually lead to employment. Again, in co-operation with employers we're finding out what skill sets it is that they're looking for, and those are the practical skill sets that are leading to employment that we are providing to unemployed clients of ours.

Mr. MacDonald: Again, Mr. Speaker, to the same minister. Let's put Albertans back to work permanently. Why is this government allowing so much manufacturing like the steel modules for Imperial Oil's Kearl Lake oil sands project to be done in South Korea instead of here in Alberta, where we could put so many people to work constructing those modules right here?

Mr. Lukaszuk: Well, Mr. Speaker, I would like to welcome this member back to Canada, to a country where we don't tell businesses what to do and how to do it. Our role as government is to create an environment where the private sector can prosper and create jobs. We don't tell businesses what they manufacture, how they manufacture, and where they manufacture. We make sure that we are as competitive as we can be so that most of that work is done here in Alberta.

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

Avastin Treatment for Cancer

Mr. Marz: Well, thank you, Mr. Speaker. Several Albertans suffer from very serious cases of brain cancer, and most of them are nearly desperate for help. One of my constituents feels that based on what he has read and researched, Avastin could be a very effective treatment for his particular case of brain cancer. My questions today are to the Minister of Health and Wellness. Why won't this minister fund this drug, Avastin, as part of an approved treatment for brain cancer?

Mr. Zwozdesky: Mr. Speaker, there are processes and protocols that every province has that it follows. This is all part of a larger national network. To my knowledge no other province, no other territory is yet able to fund Avastin for purposes of brain cancer treatment, otherwise known as glioblastoma. As soon as that process is completed, then we'll consider it here.

The Speaker: The hon. member.

Mr. Marz: Thank you, Mr. Speaker. To the same minister: what is holding up the process for ultimate approval of Avastin for brain cancer patients?

Mr. Zwozdesky: Mr. Speaker, these are very complex and difficult decisions, obviously. The very first step in the process is for Health Canada to review any particular drug that has been suggested for purposes of safety of use and effectiveness of use. They have just completed that first step. Now it's gone over to the joint oncology drug review committee. That's another process. They look at some of the similar stuff, but they also look at the cost-effectiveness of it. As soon as that step is completed, we then get a recommendation to Alberta Health and Wellness.

Mr. Marz: To the same minister again, Mr. Speaker: given that many Albertans are under the impression that Health Canada has already given approval based on recent announcements this past

couple of weeks, how long will it take for Alberta to eventually fund this?

Mr. Zwozdesky: Mr. Speaker, I'm actually grateful to the hon. member for phrasing the question in that very sensitive way. In fact, only the first stage of about a three- or four-step process has now passed with approval at the Health Canada end. It will still take a few months for the joint oncology drug review committee to do its work in this regard, and after that it will take a few months for our local Alberta provincial drug committee to do its work in reviewing, and ultimately within a few months after that we should be in a position to say yes or no.

Funding for Policing

Mr. Hehr: Although law enforcement is an inherently dangerous occupation, violence directed towards the RCMP in Alberta has become a common occurrence, as illustrated by the recent swarming and beating of two RCMP officers from the Peace Country. Mr. Speaker, how can the Solicitor General keep telling Albertans that their communities are both safe and adequately policed despite Alberta's funding for police initiatives being in the bottom third of Canadian provinces over the course of the last decade?

Mr. Oberle: Mr. Speaker, the member will know and should know – it's been explained to him enough times – that the direct comparison of the number of police officers is very unfair. We have additional sheriffs, peace officers that we employ in law enforcement. I might comment that I think it's somewhat irresponsible of the member to draw conclusions about what happened at the Cadotte Lake reserve without having the full facts of the investigation before him.

Mr. Hehr: Well, Mr. Speaker, an assault like this is shocking and unacceptable. My specific question for the Solicitor General is: does the Peace Country have adequate police personnel?

Mr. Oberle: Mr. Speaker, the police resources of this province are among the best in North America, and I'm very pleased with their performance.

Thank you, Mr. Speaker.

Mr. Hehr: Well, Mr. Speaker, Alberta is rapidly approaching a 2012 deadline to renew the service delivery agreement with the RCMP. Just for the record, is the Solicitor General planning to replace the RCMP with an Alberta police force, or is this agreement going to continue?

Mr. Oberle: Mr. Speaker, I've said, I believe, in this House before, I've said to that member in estimates, and I'll say it again for the purposes of this House that the contract with the RCMP is under negotiation right now. We will not be replacing the RCMP as a provincial police force in this province.

The Speaker: The hon. Member for Whitecourt-St. Anne, followed by the hon. Member for Airdrie-Chestermere.

Affordable Housing

Mr. VanderBurg: Well, thank you, Mr. Speaker. In Whitecourt-St. Anne the economy has slowed down, but still we have some problems with low-income housing. There are just not enough units. My questions are to the Minister of Housing and Urban Affairs. Can you tell me how many low-income people in this province you're helping out with your housing strategy?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. This is a good-news story for all Albertans. In fact, we are helping 80,000 people right now with their housing issues. That is three times the amount that we were having over the last three to four years.

Thank you.

Mr. VanderBurg: Well, that's a fair amount of people to take care of. How are you going to take care of them with a 19 per cent reduction in your budget?

The Speaker: The hon. minister.

Mr. Denis: Thank you very much, Mr. Speaker. This member is quite correct. We are being fiscally responsible. I'm very proud of that. It is a hallmark of this government. We have a 19 per cent reduction – why? – because, simply, we have eliminated a transfer to the municipalities, the last three-year commitment. We've eliminated that on a go-forward basis. If the municipalities want to come and ask us for additional funds, it has to go on an individual case-by-case basis and in the best interests of the taxpayer.

Mr. VanderBurg: My final question is to the same minister. With your very aggressive goal of 11,000 units, how are you going to do that with this budget?

Mr. Denis: Mr. Speaker, we're on track for 11,000 affordable units by 2012. The transfer to the municipalities had absolutely nothing to do with that specific end of the program. We are in the best interests of Albertans being compassionate to individuals and compassionate to the taxpayers.

Fiscal Responsibility

Mr. Anderson: Mr. Speaker, last week Albertans were again bombarded with news regarding this government's mishandling of our economy. Our unemployment rate is now at 7.5 per cent, a 16-year high. Dropping natural gas production and a high loonie mean coming deficits have likely been underestimated by billions of dollars. We have the second-highest per capita debt of any province. We have the highest per-person spending of any province. I could go on. To the President of the Treasury Board: will you confirm to this House, as the finance minister said last week, that if your government doesn't get its budget balanced by 2012, it will have no credibility with Albertans?

2:40

Mr. Snelgrove: That is coming from the master of no credibility, Mr. Speaker, so I'm happy to respond. If you want to take a look at it and try and pick statistics out of all the negative press you're getting from across the country and the economies that other people are operating in, you can always find bad news. If you want to look for good news, people are coming to this province because they know there's an opportunity in the future to get a job. Very few provinces and hardly any states have that opportunity. They've got a chance to bring their family, to get a job, to raise them in a decent place, with a good standard of living, and they're coming to Alberta. So I don't know where he should go.

Mr. Anderson: I think the minister just said that the finance minister has no credibility. Maybe I was wrong.

To the same minister: given that U of C economist Frank Atkins and many other qualified economists and accountants have found the

true cash deficit for Budget 2010 to be \$7.6 billion, does this minister agree that it is this deficit number that needs to be balanced by his government in 2012? Or is that too hard for you?

Mr. Snelgrove: I don't make up the accounting rules. There are a bunch of very intelligent accountants from across Canada that set out the gold standard for how we have to account for money we spend. Every penny we spend is accounted for. The retiring Auditor General has repeatedly said on this stage and on the federal stage that our books are the gold standard that other provinces hold themselves to. So if the hon. member doesn't understand, won't understand, or won't listen to the budget as it's presented, I can't help that. Mr. Speaker, every dollar we spend is accounted for under the appropriate accounting principles.

Mr. Anderson: The sustainability fund is going down by \$8 billion this year, and he says it's only a \$4.7 billion deficit. Get a calculator. Honestly.

To the same minister: given that this government's own budget predicts our \$16 billion sustainability fund will be drained to virtually nothing by 2012 and given that this government has spent every last cent of interest earned from the heritage fund over the last decade, will this government finally start listening to the majority of Albertans, who want a spending restraint and savings strategy that doesn't involve prayer and luck?

Mr. Snelgrove: Mr. Speaker, this province has taken interest from the Alberta heritage savings trust fund and invested it in Albertans. We've built over \$40 billion worth of infrastructure over the last eight years. We've paid off \$25 billion worth of debt. We created a \$15 billion sustainability fund so that we don't have to borrow to operate our government. We are in the best financial situation of any province in this country by a landslide. I quite honestly don't understand what's wrong with that.

The Speaker: The hon. Member for Edmonton-Centre, followed by the hon. Member for Calgary-Lougheed.

Environmentally Sustainable Oil Sands Development

Ms Blakeman: Thank you, Mr. Speaker. In situ technologies have the potential of making the oil sands more environmentally responsible. While some companies are really taking a lead on environmental standards, there are no best practices in place because of weak regulations. With no hard targets, effective monitoring systems, or regional environmental thresholds in sight, there won't be a level playing field any time soon. My questions are to the Minister of Environment. How bad does our reputation have to become for the minister to realize that protecting the environment is good for business?

Mr. Renner: Mr. Speaker, this minister recognizes that today. There is no need for this member to become concerned that we need to let the situation deteriorate before we act. We started acting yesterday.

Ms Blakeman: Back to the same minister: given that the out of sight, out of mind approach does not protect the environment nor create certainty for business, will the minister strengthen environmental regulations before approving any further in situ projects?

Mr. Renner: Mr. Speaker, the aspect of environmental regulations, like any other regulation, is ongoing. We constantly are strengthen-

ing our regulations to reflect current technology, and I see no reason why that won't continue into the future.

Ms Blakeman: Well, we have nothing concrete. Okay.

Given that we're hearing of up to 80 in situ projects waiting for approval and given that we are in a slower period of our cyclical economy, why isn't the government seizing this opportunity to get some best practices and stronger regulations in place?

Mr. Renner: We are, Mr. Speaker.

The Speaker: The hon. Member for Calgary-Lougheed, followed by the hon. Member for Lethbridge-East.

Southwest Calgary Ring Road

Mr. Rodney: Thank you, Mr. Speaker. Many Calgarians and Albertans are very pleased that the southeast Calgary ring road project is going ahead and that the P3 contract has been awarded at a savings of a billion dollars over time. Meanwhile, people have been talking about a bypass or ring road in southwest Calgary since the 1950s. I know that there has been a lot of progress in the recent past on this issue, but I've heard concerns that also recently there has been a stalling in the process. To the Minister of Transportation: how much further ahead are we on this issue than we were half a century ago?

Mr. Ouellette: Well, Mr. Speaker, it's good to see that the hon. member recognized how great a P3 project we just announced last Friday. It's going to save hundreds of millions of dollars for Albertans and create hundreds of jobs. But I can also sympathize with the member's frustration, and he's reflecting, I'm sure, feelings of a lot of other Calgarians. Everyone knows that the province presented a deal to the Tsuu T'ina, and they voted against it. We respect that, but . . .

The Speaker: The hon. member.

Mr. Rodney: Thank you, Mr. Speaker. My second question is for the same minister. I know he has more to share with us. Many studies on the southwest Calgary ring road have occurred in the past 50 years; we still have no road. How is the current study going to get us closer to actually driving on a southwest Calgary ring road?

Mr. Ouellette: Well, Mr. Speaker, as I said, we respect the decision that the Tsuu T'ina made, but we're working very diligently along with the city of Calgary. My officials and my departmental guys and the administration of Calgary are doing a study. Actually, they've started to go ahead with their interchange at Glenmore, which will free-flow Glenmore. Any extra to that, if that's where the study shows a ring road should be, we will contribute to that. I do think we're moving ahead.

Mr. Rodney: My last question is for the same minister, and my constituents understand it is a tough one. The minister hinted at this in the first question. Although the planning is done for the route through Tsuu T'ina lands, will the minister be making another offer to the First Nation to get the project going? If not, what other routes are being considered, and when will they be made public?

Mr. Ouellette: Mr. Speaker, we have absolutely no plans to start any type of negotiations. As I said earlier, Tsuu T'ina had made a decision. We will respect that. By the same token, if they need an

explanation, I'm here to listen. But there are no plans to move forward with any of those negotiations. We will carry on with the city of Calgary and work on moving ahead that way.

The Speaker: The hon. Member for Lethbridge-East, followed by the hon. Member for Calgary-Fort.

Agricultural Rail Services

Ms Pastoor: Thank you, Mr. Speaker. Rail lines are essential for the success of Alberta's agriculture industry and the sustainability of our rural way of life, but the cost of agricultural rail services is steep. Services have been cut, and rail lines, like grain elevators, are disappearing across the prairies despite the visionary efforts from groups like the Battle River Railway New Generation Co-op. My questions are to the Minister of Agriculture and Rural Development. Why is the minister waiting for the federal government to conduct a full review of the system instead of taking a proactive approach to protect our rail lines?

The Speaker: The hon. minister.

Mr. Hayden: Thank you, Mr. Speaker. I share the concern with respect to the rail lines with the hon. member opposite. In fact, this past year through our rural development fund we funded a process of research and work with the communities in excess of \$500,000 to try and maintain the rail lines. The abandonment of rail lines is a federal area of responsibility, and I, like the member opposite, am very concerned that we keep those rail lines for our residents.

The Speaker: The hon. member.

Ms Pastoor: Thank you. In addition to that question, to the same minister: I know that you have done that, but what else is in the books as you're going forward?

The Speaker: The hon. minister.

Mr. Hayden: Thank you, Mr. Speaker. In fact, I met with a representative from the short line in question this past week and met with the president and a board member from the review committee. We are presently looking at the report, and they're working with producers to see what sort of producer car possibilities there are because we all recognize that rail, steel on steel, is the most energy efficient and environmentally responsible way to move goods.

The Speaker: The hon. member.

Ms Pastoor: Thank you. What else has the minister done to encourage and help the actual producers to take the issues into their own hands as we have the great example from the Battle River railroad and as other producer groups have done in Saskatchewan? They have done these things. What other things have you done to actually help the producers go forward so they can do it themselves?

Mr. Hayden: Mr. Speaker, we've been supportive with producers, but we've also worked with groups outside of moving commodities towards the viability of these rail lines. A prime example within my constituency is Alberta Prairie Steam Tours, where the tourism opportunities were able to keep rail on the ground. That's one of the areas where I've been in discussion with groups, to see if there are possibilities outside of producer cars to make these rail lines viable.

The Speaker: The hon. Member for Calgary-Fort, followed by the hon. Member for Calgary-Varsity.

2:50 Dental Infection Prevention and Control Standards

Mr. Cao: Thank you, Mr. Speaker. The Alberta Dental Association and College is working with Alberta Health to improve the standards of infection prevention and control. It has come to my attention that many dentists are concerned that the new rules set for January 2011 are overreactive and unattainable. My question today is to the hon. Minister of Health and Wellness. What is being done to ensure that infection prevention and control rules are reasonable, practical, and enforceable?

Mr. Zwozdesky: Mr. Speaker, provincial infection prevention and control standards were in fact implemented in 2008, and they apply quite specifically to Alberta Health Services and to their contracted service providers. Now, we also have the Alberta Health Professions Act, which actually establishes the Alberta Dental Association and College as the governing body of the dental profession here in Alberta, and that includes practice and conduct standards. A lot is being done to ensure that the standards are reasonable, practical, and enforceable to the members involved.

The Speaker: The hon. member.

Mr. Cao: Thank you, Mr. Speaker. To the same hon. minister: who will pay for the initial cost and high operating cost for each clinic to comply with the new set of rules?

Mr. Zwozdesky: Mr. Speaker, I'm quite certain it's the clinics themselves because, of course, patient safety and the safety of the people providing the services are at the heart of these standards, and the costs that are associated with providing the best infection and control practices are embodied therein. The bottom line is that they pay those costs, and they also ensure the services are provided safely.

Mr. Cao: My last supplemental question is to the same hon. minister. How does Alberta Health Services co-operate with the dental professional community to develop reasonable and attainable standards that will keep Albertans smiling?

Mr. Zwozdesky: Mr. Speaker, I would assume and I would hope that the relationship is good between the two bodies, but we have to respect that there are differences of jurisdiction here. The standards that I just mentioned in the first question speak to that. Nonetheless, I am quite confident that the provincial infection prevention and control standards that apply to AHS staff and services also apply to their contracted service providers, so I'm quite sure that the dental college is doing its best to ensure that those protocols are followed.

The Speaker: The hon. Member for Calgary-Varsity, followed by the hon. Member for Leduc-Beaumont-Devon.

Foster Care Maximum Placement Levels

Mr. Chase: Thank you, Mr. Speaker. According to the minister there are 100 foster homes in this province that have more children than their classification allows. The minister has stated that these homes will be reassessed to ensure proper supports and services are being provided to them rather than making a commitment to halt this practice. To the minister. Rather than creating more placements or encouraging family enhancement where possible, this government chooses to disregard maximum placement levels. Why?

The Speaker: The hon. minister.

Mrs. Fritz: Well, thank you, Mr. Speaker. We don't disregard maximum placement levels. In fact, there are very clear criteria for placing children into homes that are already level 1 or level 2 homes. If the homes for level 1, level 2 each have a licence and if the children are siblings and you'd like to keep them together, if you want to put the children into a licensed home, you need another licence in order to do that. You're right, hon. member: I am re-evaluating the situation.

The Speaker: The hon. member.

Mr. Chase: Thank you. Again to the minister: what findings have emerged from the reassessment process to this point?

Mrs. Fritz: Well, Mr. Speaker, there are a number of criteria that I've asked the staff to look at. One is to actually see the exact number of homes. I can tell you that that assessment will take some time. According to the staff it's going to be very detailed. I would think it's going to be at least three to six months in order to do that. When I do have the criteria come back, as I've said to you before, hon. member, I will share that publicly.

The Speaker: The hon. member.

Mr. Chase: Thank you. Given the time limit the minister has just put forward, will the minister table information in the fall session showing the number of foster and kinship homes exceeding their approved limits and what extra measures are in place to support these vulnerable children?

The Speaker: The hon. minister.

Mrs. Fritz: Thank you, Mr. Speaker. I consider that to have already been tabled when we discussed it in Committee of Supply. As I indicated – and you were there, hon. member, because you asked the question – the staff have informed me that it is 100 homes. As I said, I've asked for an assessment of the homes that are in place now to be certain of an accurate number and a number of criteria regarding the placements in those homes.

The Speaker: The hon. Member for Leduc-Beaumont-Devon, followed by the hon. Member for Calgary-Nose Hill.

Twinning of 50th Street to Beaumont

Mr. Rogers: Thank you, Mr. Speaker. Beaumont is a community of 12,000 people in my constituency, located five minutes south of the city of Edmonton. It's the only community of its size not serviced by four-lane access. Secondary highway 814, or south 50th Street, is a narrow two-lane road that serves as the main north-south access into the community. It also serves residents as far south as Wetaskiwin. It's very dangerous and a great source of frustration for my constituents. To the Minister of Transportation: when will your department support the twinning of 50th Street?

Mr. Ouellette: Well, Mr. Speaker, the province recognized the importance of twinning 50th Street through the town of Beaumont to highway 625, which is a distance of about four miles. In fact, the province has already provided \$3.5 million to the town of Beaumont for this cost-shared project, and we continue to work closely with the town as they continue with the design and costing of the project.

The province will also provide additional support for the twinning when some funding does come available.

The Speaker: The hon. member.

Mr. Rogers: Well, thank you, Mr. Speaker. My constituents certainly appreciate that there is some progress, but their patience is wearing thin. Can you give me some reasonable timeline, Mr. Minister?

Mr. Ouellette: Mr. Speaker, the southern portion of this roadway falls under the jurisdiction of the town of Beaumont and not the province; the northern section of the road falls under the jurisdiction of the city of Edmonton. It doesn't make sense to have an incomplete project. What we need here is a co-ordinated response between the town of Beaumont and the city of Edmonton. That is why my department will be looking for the town of Beaumont to work closely with the city of Edmonton so they can co-ordinate this project together.

The Speaker: The hon. member.

Mr. Rogers: Thank you, Mr. Speaker. The current economic climate and recent experience would suggest that an opportunity exists to get this road built much cheaper than expected. Why can't we take advantage of this timing, Mr. Minister?

Mr. Ouellette: Well, Mr. Speaker, my department has been taking advantage of the reduced construction costs. The reduced costs have allowed us to stretch our dollar and complete more work. As with all of our highway construction projects, we need to balance the needs of this project with other priority projects across the province. We also have to make sure that we're all on the same team here, that we work with the city of Edmonton and with the town of Beaumont together with our department, and hopefully we can move this project ahead and get it done for the hon. member's constituents.

Fish Creek Provincial Park

Dr. Brown: Mr. Speaker, on the weekend it was reported that a new trail had been opened in the west end of Fish Creek provincial park at a cost of \$126,000 while those who venture off the trail in the future will be fined \$172. Meanwhile, a much more pressing issue for managing the park is maintaining and restoring the very integrity of the natural ecosystems in the park and reversing the rampant spread of invasive species and woody perennials. Native grasses, herbs, and flowering plants need the intervention of fire, grazing, or cutting in order to maintain a stable grasslands ecosystem. My questions are for the Minister of Tourism, Parks and Recreation. Given the continued degradation of the grasslands in Fish Creek provincial park, what is her department doing to preserve and restore the grasslands in that park?

Mrs. Ady: Well, Mr. Speaker, the hon. member talks about a park very dear to my heart, very close to my home. It has 3 million visitors a year, a very popular park. After the flood we were able to go in and renew the infrastructure there and, I think, improve the park.

Relative to the grasslands, though, we took the park over in 1975. The fescue at that time had already been broken, if you will, because it had been used for ranching, so I know there's very little fescue left, Mr. Speaker. We are watching that, and we'll continue to monitor the fescue that's left in the park.

Dr. Brown: Well, the minister is aware that there were 80 million buffalo on the plains of North America before the cattle came along. They were grazing it long before the white man came along to the country. What will her department do? Given the fact that she spent \$126,000 on a trail, how much money is she going to spend to restore the grasslands?

3:00

Mrs. Ady: Well, Mr. Speaker, the \$126,000 that we spent on the trail I think was very well-spent money. We had a bunch of dirt bikers making trails throughout the park and destroying it. We were able to put barriers in the way so that they could no longer get on some of those trails, regenerate them, as well as keep them on the trails to preserve the very park that they want to enjoy.

Dr. Brown: Mr. Speaker, given the ongoing lack of action in protecting that park's ecosystem that's been going on for years now, will the minister make the necessary changes in park management to effect some real change to bring back and restore the native grassland habitats in our provincial parks?

Mrs. Ady: Well, Mr. Speaker, I think the hon. member has a good point. I mean, we are looking right now at the Glenbow Ranch, which just got added. It, of course, has got pristine fescue, and we're going to be using it a bit as a classroom, if you will. There's an institute that's been formed that will help us have a better idea of how to manage grasslands in other parks. But the management is only following a management plan, and we do need to review that management plan.

The Speaker: Hon. members, that concludes the question period today. Nineteen hon. members were recognized. There were 114 questions and responses: nine came from the Official Opposition, three from the independents, and seven from the government.

Now, we're up against Standing Order 7(7): "At 3 p.m. the items in the ordinary daily Routine will be deemed to be concluded and the Speaker shall notify the Assembly."

The hon. Deputy Government House Leader.

Mr. Zwozdesky: My apologies, Mr. Speaker. I was just sidetracked here. Are we on Notices of Motion?

The Speaker: No, sir. We are on the Speaker alerting the Assembly to Standing Order 7(7).

Mr. Zwozdesky: And have you done so?

The Speaker: I have.

Mr. Zwozdesky: Shall we just carry on with private members' business, then, Mr. Speaker?

The Speaker: Well, sir, that's entirely up to the Assembly. The standing order simply says that "at 3 p.m. the items in the ordinary daily routine will be deemed to be concluded and the Speaker shall notify the Assembly." Usually when that happens, one of the Government House Leaders rises and says: might we have unanimous consent to conclude the Routine?

Mr. Zwozdesky: Sorry, Mr. Speaker. I wonder if we could seek unanimous consent of the Assembly to proceed with the regular Routine.

The Speaker: Well, then the chair will bring such question to the

Assembly, and the chair will ask it in this way: does any hon. member object to the continuation of the Routine to its conclusion? If so, say no.

[Unanimous consent denied]

Orders of the Day

Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

The Deputy Chair: Hon. members, may we revert to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(reversion)

The Deputy Chair: The hon. Member for Leduc-Beaumont-Devon.

Mr. Rogers: Thank you, Mr. Chairman. It gives me great pleasure to introduce through you to all members of the Assembly a group of firefighters that are here today to witness debate on third reading of Bill 201, the Workers' Compensation (Firefighters) Amendment Act, 2010. We are joined today by the fire chief of Edmonton, Mr. Ken Block, and Deputy Chief Dale McLean as well as firefighters from the Leduc Fire Fighters Association, local 4739; the Medicine Hat Fire Fighters Association, local 263; the Edmonton Fire Fighters' Union; the Alberta Firefighters Association; the Calgary Fire Fighters Association; the Spruce Grove Firefighters Association; and the Fort McMurray Fire Fighters Association. I would ask that our guests rise and receive the traditional warm welcome of the Assembly.

The Deputy Chair: Hon. Member for Calgary-Fish Creek, do you have a guest?

Mrs. Forsyth: No. I want to start the debate.

The Deputy Chair: We haven't called the committee to order yet. The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Chair. I just want to reintroduce some of the members who are still here from the Parkinson Society – a couple of others have joined them – and just explain to them that, unfortunately, we're not able to proceed today with the reading of private members' statements to salute the Parkinson Society and also to salute the Holocaust memorial because one opposition member spoke out. I just don't know if he understood the gravity of that or not. I thought they deserved to have an explanation for where we're at in the House proceedings.

The Deputy Chair: Okay.
Do you have a guest?

Mr. Anderson: We did not know that it would mean no members' statements, so we would like to ask unanimous consent, if possible, to revert to Members' Statements.

The Deputy Chair: We are in Committee of the Whole, and I'd like to call the committee to order.

Bill 202**Mandatory Reporting of Child Pornography Act**

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Mr. Chair. I'm pleased to speak to you and other members of the Assembly regarding Bill 202, the Mandatory Reporting of Child Pornography Act. I was encouraged to hear the government members express their support to combat child pornography and to give the public and law enforcement communities another tool to rid our homes and our communities of a truly vile and evil form of child sexual exploitation and abuse.

I appreciate the feedback that we have been given so far. One comment that was brought forward was that the government was concerned about a bill that had a proclamation date. Frankly, I cannot see how the idea of a proclamation date has become the issue that the PC government has made it into. If you don't have a plan, you fail. If you don't have a date to focus government staff, law enforcement, and agencies on, then you also fail. As my friend from Calgary-Glenmore is so fond of saying: if you fail to plan, you plan to fail.

Without a proclamation date, Mr. Chair, this government is simply trying to look like they are supporting measures that will fight child pornography, but they are not actually committed to putting a law in place. This is the intent of what their so-called concerns are, and that is what Albertans see them for.

Now, I'm sure that they will start to say soon that they want flexibility. Well, I will show you once again that I'm willing to be flexible to get a law passed that Albertans will support. I am willing to be flexible to get a law passed that will protect Alberta's children from sexual deviants. I'm willing to be flexible so that the PC government can show Albertans that it will support a bill that makes sense and can be implemented smoothly, effectively, and quickly. In keeping with this desire to get a law passed that will be implemented, I am coming before you today to propose an amendment to Bill 202. Mr. Chair, I'd like to propose a friendly amendment to Bill 202 that states that Bill 202 will be implemented no later than March 31, 2011. This gives the government no more excuses. It gives the government a full year to put this bill into effect.

Since we last debated this bill, even more cases have come forward, horrible cases where children have been abused for the sexual gratification of some pervert. Recently we learned of an international child pornography ring in 20 countries where 73 people were charged. In the *Edmonton Sun* a Crown prosecutor noted that at any given time in Alberta 10 to 20 adults are before the courts, charged with online luring, for enticing a child to either pose nude or meet for sex. Also, an additional 70 to 80 people are before the courts . . .

The Deputy Chair: Hon. member, are you moving an amendment?

Mrs. Forsyth: Yes.

The Deputy Chair: Okay. We'll have it passed around.

3:10

Mrs. Forsyth: Oh, it has been passed.

The Deputy Chair: Okay. Hon. member, please proceed. We're speaking to amendment A2.

Mrs. Forsyth: Yes. Thank you.

An additional 70 to 80 people are before the courts for possessing or manufacturing child pornography. This is just in Alberta, and this is just those targeting our children. This is what needs to be known, Mr. Chair. It is time for the government to stop playing games with a bill that is supported by law enforcement, child protection advocates, and, quite frankly, the public. I would like to put the motion on the table, and I'd like to truly see where the government stands.

Thank you.

The Deputy Chair: The hon. Member for Calgary-Varsity, speaking on amendment A2.

Mr. Chase: Thank you. Speaking directly to amendment A2, what the hon. mover of the amendment has provided the House is the luxury of time. The hon. Member for Calgary-Fish Creek has noted the concerns expressed by members of the government that in order to properly enact this legislation, more time is required, even though time would have been available over the summer and through the fall as this bill came to the potential of further debate. It is absolutely reasonable that this extension be granted.

The problem is real. In second reading I spoke to my support for the intent. In Committee of the Whole I spoke on my support for not only the intent but the purpose and the need for this bill, given the abuse that happens on a daily basis to Alberta children. This provides the government with the extension they need to do whatever research or take whatever measures are necessary to make sure that the legislation is thorough and enforceable. I encourage members of this government to support amendment A2.

The Deputy Chair: Any other members wish to speak to amendment A2? The hon. Member for Lethbridge-East.

Ms Pastoor: Thank you, Mr. Chair. Directly to the amendment I will be very brief. I think that this is an excellent amendment, and I don't think that we can be too fast to get good legislation and good enforcement to be able to keep these kinds of scummy people off the streets and away from our children.

The Deputy Chair: Any other members wish to speak? The hon. Member for Calgary-Glenmore.

Mr. Hinman: Thank you, Mr. Chairman. I feel it's very important and critical at this time that we reflect on the purpose of why we're here as legislators and what our first and most important role is. To me, as a government the most important thing is to ensure that each member of our society is protected by the laws and the courts of this country. If there's a problem there where people are not being protected, then it's our first duty to ensure that that law is put in place to protect those individuals.

We've got a number of bills before us – I've read them into *Hansard* already – that this government has brought forward and said: these are our priorities of this sitting. Yet this is an ongoing problem that the hon. Member for Calgary-Fish Creek has been working on for years, and this government has failed to act to protect the children of the province of Alberta. They've come up with excuse after excuse, saying that they can't do this; they can't do that. They've had years to prepare for this. One year is more than enough. They should have been able to get it done by this fall, but in order to bring them on board, we've made this amendment to give them one full year, which is far too long to leave our children unprotected. We need to act on this, and it needs to be passed in this House.

Starting with the very first bill this government came out with, they said: oh, it's very important that we're competitive; we need to pass a bill for that. In fact, their actions are against that. What we need is action on Bill 202 here. We need to protect the most vulnerable in society, that being our children. We don't reach the age of consent or the age of voting until 18. Consent again is another area in this country – we've been trying to raise it – where it has been very difficult, and it shouldn't be.

Our children are first and foremost in our society. We need to protect them. We understand that, so why are we not getting behind this bill? Why it is still being held back is incomprehensible to me. I would urge all members to stand up, to speak on this if needed, but, more importantly, to vote to get this passed so that we can start protecting our children. The heinous crimes that are going on are unacceptable. We can't say that it's someone else's responsibility. Whether it's federal, whether it's a world-wide situation, we need to start right here in Alberta, right now today, go on to third reading and pass this in order to protect our children. So I would urge all the members in this House to vote for this amendment.

Again, let's not kid ourselves. The reason this amendment is being put in there and why there's a proclamation date is because we have to get it done. If you don't have a date, it's not going to happen. To say, "Oh, well. We've got to look at things. We'll look at it. We'll consider it next year" isn't the solution. We put in a date. One year is more than ample time to get this in place. We need to pass this.

I would encourage all of the members of this House to do the right thing, to vote for Bill 202 in this amended state. Let's start protecting our children, starting March 31, 2011.

The Deputy Chair: Do any other members wish to speak to amendment A2? The hon. Member for Battle River-Wainwright.

Mr. Griffiths: Yes, Mr. Chairman. I appreciate the members and their comments about why this amendment should be supported. I would like all members of this House to realize, however, that changing the date through an amendment, to March 31, 2011, gives us more time for consultation and to make sure that the regulations are done properly. Suppose that the regulations are done by this fall, in 2010, and we could proclaim the legislation now; we would be forced to wait for several more months before it became law. The point, that I've suggested many times in this House, is that as soon as you put a date, it puts restrictions on how much time you have for consultation, or if the consultation is done, now you have a certain amount of time you have to wait before it becomes law. We could be protecting children by proclaiming it the second the regulations are done.

This is entirely a focus on getting it done right now instead of it getting done right. That's what we have argued in this House over and over and over again. I encourage all members not to support this amendment.

Mrs. Forsyth: Well, Mr. Chair, the original proclamation date was July 31. During the debate it was said that we didn't have enough time to do that.

You know, Mr. Chair, what I find truly, truly amazing – and I was a minister of the Crown for six years, and I know how easily things can be done. I guess one must ask the Minister of Justice how many lawyers she has in her department. How many meetings does it take? Who opposes it? Who do we actually need to consult? All of that has been done.

You know, I respect my colleague from Battle River-Wainwright. I like my colleague from Battle River-Wainwright. We've had this

discussion. You know what? I have no problem if the Assembly decides to defeat the March 31, 2011. I have no problem with that. Then if he is talking about the summer to consult, we could have the member bring an amendment forward for September 1, 2010. I'll be right up there with you, buddy.

Mr. Chair, I've been around a long time. I'm just waiting to get some stats from my research to find out how many private member's bills have been in this Assembly and, quite frankly, how many have been passed. That has been very, very few.

I know that my colleague the Minister of Justice supports this bill. I sat down with her in November. I sat down with the former Solicitor General at the same time, in November, and they both supported it. At that time they both indicated that this bill was important to have because our federal government has been dicking around with it for months and months, in fact, since 2002.

If my colleague from Battle River-Wainwright wants to bring an amendment forward, wants to make that date September 1, I'll be the first one to stand up and support it. They didn't like December 31, 2010.

3:20

The other thing that's very interesting is that there is nothing stopping an amendment from coming before this House in the fall session, saying: we want to make an amendment on this particular piece of legislation for September 1, 2010. I'm sure we'll all stand up and applaud.

Mr. Chair, we're trying to work with the government. Quite frankly, I don't trust them on their private bill process and getting bills done. I'd be more than willing to work with my colleague from across the way, and if he wants to say September 1 – I know he's a father of two young guys, and I know he in his heart supports this. So if we're going to argue about a date, then have the Member for Battle River-Wainwright bring forward a date, and if he says September 1, 2010, I'll buy him a beer.

Thank you.

The Deputy Chair: Any other members wish to speak on the amendment? The hon. Member for Calgary-Glenmore.

Mr. Hinman: Yes, I'd like to comment a little bit about the comment from the good Member for Battle River-Wainwright. It would be a very simple and favourable amendment to say on or before March 31, 2011. We're not against that. Again, it just seems like they're bouncing the ball back and forth to say: now it's too slow; now it needs to be forward. A simple, friendly amendment to on or before March 31, 2011, could easily come forward.

The point is that we need to get this passed, and to keep using dates as an excuse is just pathetic. We need to pass it. We need to get it done. It doesn't mean that it has to be done March 31, 2011. We could proclaim it at any time if the government so decided.

I'd urge all members to vote in favour of this or to make the amendment. Like I say, we can do it down the road, but it should be on or before March 31, 2011, and not excuses saying: "Oh, we need to get the date locked down," or "It has to be sooner now," or "That's too far away." We need to pass this, and then we could amend it just as they have with the Municipal Government Act. We passed one last year, and now we have a government bill that's trying to correct that mistake. I just can't see it. Changing it now and saying, "Well, September is long enough" is a poor reason not to pass this today.

The Deputy Chair: Any other members wish to speak to the amendment?

Seeing none, I'll call the question.

[The voice vote indicated that the motion on amendment A2 lost]

[Several members rose calling for a division. The division bell was rung at 3:22 p.m.]

[Ten minutes having elapsed, the committee divided]

[Mr. Mitzel in the chair]

For the motion:

Chase	Hehr	Pastoor
Forsyth	Hinman	

Against the motion:

Amery	Fawcett	Olson
Bhardwaj	Griffiths	Redford
Brown	Groeneveld	Rodney
Calahasen	Horner	Rogers
Campbell	Johnson	Sandhu
Doerksen	Klimchuk	Snelgrove
Drysdale	Leskiw	Weadick
Elniski	Marz	Woo-Paw
Evans	Oberle	Zwozdesky

Totals:	For – 5	Against – 27
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[Motion on amendment A2 lost]

The Deputy Chair: The hon. Member for Battle River-Wainwright on Bill 202.

Mr. Griffiths: Thank you, Mr. Chairman. It's a pleasure for me to rise today and speak to Bill 202, the Mandatory Reporting of Child Pornography Act, brought forward by the hon. Member for Calgary-Fish Creek. I commend the hon. member for her devotion to the protection of our province's youth. This bill is just yet another demonstration of that commitment that she has always had, and I'd like thank her for bringing it forward.

Mr. Chairman, there are several sections of this bill that make reference to items to be defined in regulation. Section 10, for example, states that the Lieutenant Governor in Council may make regulations pertaining to the designation of reporting entities, reports made to reporting entities, and the duty of those reporting entities.

Like legislation, Mr. Chairman, the drafting of regulations takes time and takes full and appropriate consultation with the appropriate stakeholders and co-ordination with existing provincial and federal laws. I couldn't imagine jumping the gun and creating regulations without consulting police, prosecutors, and others in the justice system who will have to operate within those regulations. I doubt that the member who introduced this would approve those measures either for any government legislation.

Almost every single element of the justice system has emphasized how critical this legislation is, and again for that the member should be commended. But just as heavily they have all emphasized how important it is to get this right the first time. They have emphasized how important it is to properly consult in the drafting of the legislation and the regulations with stakeholders and members of the justice system. Mr. Chairman, they have also emphasized how critically important it is to ensure a co-ordinated federal and provincial strategy since the Internet does not know that there is a boundary at the edge of the province of Alberta. We have to consult appropriately to make sure everyone is aware, onside, and that the regulations are drafted effectively.

This brings me to section 11, which reads specifically that "this Act comes into force on July 1, 2010." Indeed, we've had some amendments that have changed the date. The challenge is that it's still a date. We know that the amount of time between now and July 1, 2010, will not suffice to see this bill through the committee and third reading stages let alone carefully draft and approve the regulations.

I'd like to bring forward an amendment to this section. The amendments are at the table, Mr. Chairman.

The Deputy Chair: We'll pause for a moment while the amendment is distributed. This will be amendment A3.

The hon. member.

Mr. Griffiths: Thank you, Mr. Chairman. This amendment proposes to strike out "on July 1, 2010" and substitute "on Proclamation."

As I previously mentioned, it takes time to draft the regulations appropriately. Further, in this case it may be substantially complex because it is somewhat of a stand-alone act. We'll need to ensure that the regulations are therefore aligned with other child protection laws such as the Child, Youth and Family Enhancement Act as well as their accompanying regulations. In addition, Mr. Chairman, it's important to take into consideration the federal laws and regulations, just as we've been advised by different segments of the judicial system, that along with other provinces' bills are similar in nature and co-ordinated as such. The bill as amended will ensure that we have time to complete the necessary consultations.

The bill's intentions are nothing but honourable, and there is nothing in this amendment that says that anyone in this House does not support the intent of this bill, but in order for it to have the desired result, we need to ensure that all elements that support the legislation are in place before it actually becomes in place. Mandating reporting will only be effective if it's clear to whom the report should be made, what the report should include, and a clear protocol for what happens once that report has been issued.

Mr. Chairman, things would have to come through regulation which come through the consultation with members of the judicial system. These items require time, so I believe it's important to amend the bill to come into force upon proclamation so we don't set a false deadline on when to achieve it; we actually do it right.

The members across the way will probably suggest some strange things, like that we don't care about kids. They may talk about how many children may be hurt because of the time this takes. It's all intended to rile up emotions, Mr. Chairman, and make us look like we are bad guys. That's part of the politics that I've always disliked that often occurs around here, the games.

3:40

They won't mention, however, that changing the proclamation date where you have to have five or six months before you can actually proclaim the legislation even if the regulations are in place could hurt children. They won't tell you that if the regulations aren't drafted right and there are some people who are producing child pornography or observing child pornography, they get off because we don't have the regulations done right. That's equally harmful, Mr. Chairman. It is awful, and it would be equally awful if meeting a deadline became our focus because we might wind up with regulations that, not properly drafted because of deadlines, meant those who are abusing children could get off scot-free.

The debate is fairly over whether this is best addressed right or whether it's addressed right now. That's a fair debate, whether we should hurry up and get it done or we should make sure we get it

done right. I want to get it right. I believe the members across the way want to get this done correctly, too. I believe we all do. To assert that anyone in this House does not want to protect children or that this is some game being played for politics or to suggest that anyone in here wants to delay and just let people who are producing child pornography or observing child pornography and failing to report it and children are being harmed – that we would want to support anybody getting away is absolutely ludicrous, Mr. Chairman. At the risk of getting called out of order, I suggest it's asinine, too.

Mr. Chairman, I encourage all members in this House to support this amendment. I encourage all members to trust that every single person in this House wants this bill passed, wants children protected, and this has nothing to do with politics. This has to do with getting it right to ensure that children are safe, and I encourage all members to support this amendment.

The Deputy Chair: On amendment A3 the hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you, Mr. Chairman. Well, I listened very intently, and I find the whole conversation very interesting. Since 1972 we've had 1,411 private members' bills go through this Assembly, with less than 50 per cent of them receiving royal assent.

I guess what is more amazing to me than anything is the fact that how things change when you're with the government and you're not with the government. I had lengthy conversations with the Minister of Justice, and I had lengthy conversations with the Solicitor General, and I don't pull these things out of my head, Mr. Chair, in regard to dates and in regard to support on this. You know, I talked at length to both ministers when I was with the government, and frankly they were the ones that encouraged me to bring the bill forward, and they were the ones that encouraged me and helped me draft this bill. In fact, it's amazing when you have government members' research and you still have copies of that documentation, and they talk about the fact of the length of time it's taken the federal government to get to this serious situation.

We've tried to work within the confines of what you can as a small opposition, and we've tried to work with the government. I remember the Member for Battle River-Wainwright calling me in regard to how the private members' bills committee had actually looked at this bill. They supported this bill. They didn't like the date of this particular bill at the time, which was July 31 in the private member's bill. I said: "Okay. Well, I'm fine with that. How about if we put a date on that particular piece of legislation?" I know exactly how this government works – exactly how this government works.

Mr. Anderson: Or doesn't work.

Mrs. Forsyth: Or doesn't work. If this bill is so important and they care so much about the children in this province, then bring the darn thing through as a government bill. I'll be the first one to stand up in September and support them on this particular piece of legislation, and I'll be going out and telling all Albertans how important it is this government cares about the children of this province.

You know, they talk about the regulations, and they talk about the identity process. I had lengthy conversations with the Minister of Justice and the previous Solicitor General in regard to that process. They wanted that left open so through regulations they could identify who they would use, whether it was the ICE team or whether it was Cybertip or one of those places. Hey, I'm not the minister. That's their responsibility, and I was okay with that. Not having a proclamation date bothers me, but we have a lot of this on

record, so that's good, and I'm going to be after the government. The Member for Battle River-Wainwright said: maybe in September we'll have it. Hallelujah. I'll look forward to that. We will stand up as a member of our caucus and quite frankly applaud them and support them on that. I'll listen to the debate, and I'll continue to hear what they have to say.

We're put in a very difficult position about supporting the amendment in regard to no proclamation date. But you know the government: they're only as good as their word. So we'll listen very carefully to that, and possibly the Solicitor General today will stand up. I've got articles from him when there have been busts about how his number one priority is the protection of children. Maybe we'll see this bill passed in September, or, quite frankly, maybe the Minister of Justice or the Solicitor General or even the minister of children's services will bring this bill forward under a government bill in October, when we come back to the Legislature. I'll continue to listen to some more of the debate.

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

Mr. Chase: Thank you very much. Very specifically on the amendment A3. The hon. Member from Battle River-Wainwright has put forward an amendment that suggests that "Bill 202, Mandatory Reporting of Child Pornography Act, be amended in section 11 by striking out 'on July 1, 2010' and substituting 'on Proclamation'." I understand the member's desire to get things right the first time. I would wonder how, for example, it took God six days according to Genesis to create the world, and on the seventh day He rested. In order for God to be acceptable in this Assembly, I would suggest that He should have got it right the first time, on the first day. However, as human beings and speaking specifically to amendment A3, yes, we require time to get things right. But here's a reality: every day it takes us time to get it right, another child or a group of children is going to suffer from the abuse.

Later today we're going to be debating Bill 201, the Workers' Compensation (Firefighters) Amendment Act, 2010. It was recognized that the firefighters act wasn't sufficiently inclusive, so an amendment was brought forward which strengthened Bill 201, which no doubt will get passed. That is what was attempted with the amendment, extending the time period. However, if we extend it forever or until such a time that the federal government gets it right and we concur with the federal government, in the meantime a tremendous amount of potential abuse time elapses.

I, like the Member for Battle River-Wainwright, being a former teacher, very much want to have things done correctly. That's the whole basis of how we approach our classes: we try to set things up so that the students will be successful. But we also realize that as human beings, as Robbie Burns would say, the best laid plans of mice and men "gang aft agley." In other words, we don't necessarily get it right the first time, but we have a parliamentary procedure to strengthen previous legislation.

Now, the hon. Member for Battle River-Wainwright, in proposing amendment A3, stated how important this issue is, how important protecting children from abuse is. I believe that everyone in this Assembly believes that protecting children from abuse is important. But, folks, we have to get on with the job. If we support amendment A3, we've just delayed the job instead of getting on with it. Granted it may not be perfect – and I raised concerns about the need for setting deadlines and dates and putting things into regulation – but how much longer do we have to wait?

3:50

The hon. Member for Calgary-Fish Creek was formerly, as she noted, a member of this government. She served in two ministries.

She worked with previous ministers of this government in terms of drafting this legislation. Having a good idea should not be relegated to which party you belong to. We are on record – whether it's the Wildrose, the Liberals, or the NDP – of supporting good legislation. Example: Bill 201, Workers' Compensation (Firefighters) Amendment Act, 2010.

I want to echo what the hon. Member for Calgary-Fish Creek said. She hopes that maybe the championship will come through the hon. Member for Battle River-Wainwright in terms of protecting children. I would like to think that maybe it would come from the hon. Minister of Children and Youth Services. It could very well come from the Minister of Justice. But this legislation is needed, and if it is brought forward by the government and the government corrects whatever bits and pieces of regulation they feel are missing, or if there is a deadline that they feel needs to be changed to allow the co-operation with the federal government, whatever it is that members of this government believe is necessary, I hope that when we come back this fall, that legislation will be proposed as a private member's bill, even given the number of times private members' bills are not put forward into legislation.

If you truly believe, as I believe you do, that children are important and need to be protected, then I implore you to bring forth the legislation that you feel is necessary to achieve that end this fall. Thank you.

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

Mr. Hinman: Thank you, Mr. Chairman. I guess I'd like to start off with that I don't doubt the hon. member in his saying that there isn't a member in here that doesn't think this is important, but it goes a step past that. It's about priorities. Priorities really are walking the walk, not talking the talk. To say that one is sincere and then not want to put in a proclamation date is not sincere. This is the whole crux of the problem, that they are making these declarations. First it was too soon, July 31. They just all voted against one for March 31, 2011. Now they're making the declaration: oh, maybe it's going to be September. So they do know the time frame that it can be. Why would you get up and say, "Oh, maybe we could do it in September"? If so, I think a simple amendment could have been brought forward: on or before March 31, 2011.

This amendment is unacceptable. It's unacceptable to the children of this province. It's unacceptable to the parents of this province. It's unacceptable and it's shameful that this House is going to pass a bill as important as 202 with no proclamation date. There's no commitment to that. It's just wrong.

I want to read into the record again the priorities of this government and where they feel the importance is on bills and legislation that we're passing. Once again I say that the most important bills and legislation that we should be passing are those that are protecting the most vulnerable, those that are protecting our life, our liberty, and our property, yet if we go through this government's wonderful roster of bills, it's embarrassing. The most important bill to this government after they destroyed the Alberta advantage is to say: oh, we're going to proclaim a bill, Bill 1, the Alberta Competitiveness Act, and now we're wonderful again. That's the priority of this government, the Alberta Competitiveness Act, when in fact all of their actions are destroying the competition in this province. That's their priority.

Bill 2, Professional Statutes Amendment Act. That's their priority in trying to look after the professionals, not the children of this province. This good Member for Calgary-Fish Creek has been working on this – is it eight years?

Mrs. Forsyth: Probably longer.

Mr. Hinman: Maybe longer. Eight years, and this government has refused to act on that. To say they're sincere – they're not, Mr. Chairman.

Bill 3, Fatal Accidents Amendment Act. This one has some importance here on how we're going to treat those that are from fatal accidents. That's number three. Again, no children's protection act here.

Bill 4, Dangerous Goods Transportation and Handling Amendment Act. They say that this is their priority, not protecting the children and those who want to use them for their sexual gratification but dangerous goods. There is no danger with pedophiles or for those people that are bringing in this stuff, but dangerous goods: that's a priority of this government.

Bill 5, the Appropriation (Supplementary Supply) Act. Why? Because they couldn't get their act together. Even though this government said they're going to start presenting the budget in February so that it can be ready by the year-end, they needed a supplemental act. That's the priority. We're talking about the date on amendment A3, and they say that they can't have a proclamation date, yet all of these need a proclamation date.

Bill 6, Emergency Management Amendment Act, needs a proclamation date. Gonna get one.

Bill 7, Election Statutes Amendment Act. I mean, a huge, thick one. This is almost as thick as five other bills, and they're sitting there saying . . .

Point of Order Relevance

Mr. Oberle: Point of order. Mr. Chairman, I need to ask what the relevance of this is when he lists, which all of us have, the outline of the number of government bills coming before the House. Is the member aware that we're talking about private members' business, more specifically the actual Bill 202, more specifically than that a proposed amendment to that bill? We're not talking about government legislation, government direction, government planning. At the moment I would ask that you call the member to order.

The Deputy Chair: Hon. member, the chair understands what you're attempting to do here. We're talking about proclamation, and you're equating the proclamation of all bills – government bills, private members' bills – and the time it takes for proclamation and working that way through. I would encourage the hon. member to please stay on topic and stay with amendment A3.

Mr. Chase: May I speak to your encouragement?

The Deputy Chair: No.

Mr. Chase: Okay. Thank you.

Debate Continued

Mr. Hinman: I appreciate the counsel from the chair, but I think it's critical for the people of Alberta to understand the priorities. They say that they're sincere and that they want this. It should have been Bill 1 if they're standing up and saying they're so sincere about it, that we're going to protect the children. This government has brought forward no bills to protect . . .

Point of Order Relevance

Mr. Oberle: Mr. Chairman, point of order. Could you please explain to that member the difference between government business

and government priority and private members' bills and the motion, the amendment, that's on the table right now? He doesn't seem to understand it.

The Deputy Chair: Hon. member, you do not have the floor.

Mr. Oberle: Mr. Chairman, it's a question of relevance. We are not talking about government business, government priorities. They have every day the question period, all sorts of avenues. Section 459 of *Beauchesne*, Mr. Chairman.

The Deputy Chair: Hon. member, a moment ago I talked about what I perceived to be the relevance you were trying to put with government bills and private members' bills and proclamation. We are on private members' bills, and we are on amendment A3, that says to substitute "on Proclamation." I'm afraid it doesn't have anything to do with government bills; it is a private member's bill.

Debate Continued

Mr. Hinman: I appreciate that, Mr. Chairman.

Speaking to amendment A3, that the Mandatory Reporting of Child Pornography Act be amended in section 11 by striking out "on July 1, 2010" and substituting "on Proclamation," I'm referring to my specific notes by the Member for Battle River-Wainwright, who says: we're sincere; we want to put this in here. He talked about section 11, and he specifically spoke about a date and that we couldn't put one out until we've done all of this homework. He says that all of the members in this House understand it, yet they're not putting a date to it.

I guess I'll go back to a talk show host that we hear so much of on the weekend, that it's about relationships. She always says: if you don't have a ring and a date, you have no commitment. If you don't have a date, there is no commitment from this government, and that's what it's about. Twice we've had standing votes on dates where this government has stood up and voted against it. One they said was too early. Now they're using, to me, the naïveté of saying: it's too far away; we're going to do it earlier. So they do have a time frame in which they say that they can get this done.

This amendment should say: on or before March 31, 2011. To say anything else – and to say that this has nothing to do with government bills: it has very much to do with government bills because this government has failed to protect our children, so a private member has had to do this. That's why I was going through the priorities of this government and showing what their priorities are, whether it's in our budget, where again they lack the understanding of prioritizing and say, "Oh, this is okay; we're going to put \$2 billion into CO₂," and then have a huge deficit. It just goes on and on.

4:00

If you go through and look at the priorities of this government, which are their bills – and I would suggest to the hon. Member for Peace River that if he doesn't think that that isn't prioritizing, then he should go and study a course on prioritizing and find out a little bit about it. There's a huge difference between talking the talk and walking the walk. This government has failed to pick up the banner and say: we're going to protect our children. We have 15 bills. Not one of them is protecting the children.

A private member who worked inside the government struggled to bring forward a government bill and was never able to. Perhaps by an act of providence here she has Bill 202. We're debating this, and this government wants no proclamation date. Make no mistake about it: no date, no commitment. You can't fool yourselves that it's anything else than that. I have to say that I'm astounded when this

government talks about having free votes in the House. You're all of one mind. I would say that you don't mind whether or not you pass this bill. I'm sorry. That's the fact of it. That's how Albertans are going to see this, that you don't mind when or if this bill ever gets passed. That's why your amendment A3 is to have no proclamation date. There is no commitment on the part of this government.

He talks about section 10. Again, he's referring to it taking time in the need of having no proclamation date. This government has passed many, many bills, hundreds of bills. They understand the process. They know what it needs to do. They say: to get it right. Absolutely, we want to get it right. If this government was so good at getting everything right, we wouldn't be here passing any bills because they got it right 10 years ago, five years ago, two years ago. Why are we in here passing all these bills all the time? Because we can't get it right. There are problems. So don't say that we can't pass a bill until we get it right. We might as well not pass any more bills and just live with what we've got.

We need a proclamation date, Mr. Chair. It's critical that amendment A3 gets defeated, because there is no proclamation date. To say anything else is just foolishness, naïveté. Dates are always a challenge. Should we say that we're going to have the next Winter Olympics, but we're not going to declare the date until our athletes are in a position that we really feel they can win, and then we'll call an impromptu date and say: oh, everybody, come back to Canada for another go-round? No. There's always a date. The challenge is to be prepared by that date and not say that we can't have a date because it's too challenging. We need to have a date. No date, no commitment.

It's almost comical that they put out a date when they're going to be back in the black when they don't even acknowledge their deficit. Why bother putting out a date? Back in the black in three. At least they're declaring something. Why? Because they know that the people of Alberta need a date.

I mean, this is just unbelievable to me that we're being challenged on the fact that there's a date: it's too soon; it's too far away. No. What it is is that you don't mind whether this bill gets passed or not. That's the truth of the fact. If that truth hurts, it's supposed to. When the truth hurts, it's supposed to, and it's supposed to act on your conscience. For anybody to get up and vote for this amendment, I hope that your conscience burns every time that you think of a child who has been molested because we have failed to try and do all we can to protect them. [interjections] Moan and groan, but think of those children that aren't protected.

This is just unacceptable. We need to have a date, and anything less than a date just speaks to the fact that they're the ones who are politicizing this. They're the ones who say that, oh, we're politicizing it. No. We brought the bill forward. We're the ones who are working on it. We're the ones that are committed to a date. We want this government to be committed to a date.

Mr. Oberle: Mr. Chair, that was quite the speech there and quite the way to get wound up. I wonder if I could just dial it down a tone here and point out that the Member for Calgary-Fish Creek and the Member for Calgary-Varsity in their comments praised Bill 201, the Workers' Compensation (Firefighters) Amendment Act, 2010. I wonder if either one of them noticed that section 3 of that bill says that this act comes into force on proclamation. [interjections] I have the floor, Mr. Chairman.

Then the Member for Calgary-Fish Creek said in her comments and in feeding comments to her neighbour there that she knows the government process; she used to be in the government. That's true. Then she would have noticed that all of our private members' bills

on our side say that. The member would know this, that the Alberta Legislature is probably the most effective Legislature in Canada for passing private members' bills. One of the reasons that that clause is very effective in private members' bills is that it prevents a mishmash of overlapping and poorly drafted legislation. It allows the government to go back to the drawing board and incorporate good ideas. I think the member has been thrown a huge bone here but is not interested in the fact that we are actually interested in passing her bill.

The other thing the hon. Member for Calgary-Glenmore said in his comments, fed by the hon. Member for Calgary-Fish Creek, was that the hon. Member for Calgary-Fish Creek has been working on this legislation for at least eight years. That strikes me as odd because that would take us back to the time that the Member for Calgary-Fish Creek was actually the minister. So where was the legislation at that time? We're going to stand here and be accused of doing nothing?

I think honestly, Mr. Chairman, that the speech by the hon. Member for Battle River-Wainwright was heartfelt and true. This is a very common process that we use here. I think there are a lot of people itching to support this legislation, and that member is standing in the way. I don't understand why.

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

Mr. Zwozdesky: Thank you, Mr. Chair. I would move that the House now rise and report progress.

[Motion carried]

[Mr. Mitzel in the chair]

Mr. Fawcett: Mr. Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports progress on the following bill: Bill 202. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: Having heard the report, all those in favour of the report, please say aye.

Hon. Members: Aye.

The Acting Speaker: Opposed, please say no. So ordered.

[Mr. Marz in the chair]

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

Mr. Zwozdesky: Thank you very much, Mr. Speaker. I would seek unanimous consent of the Assembly to revert to Routine, beginning with Presenting Reports by Standing and Special Committees and working our way on through there. That would help address some important business of the House at this time.

The Acting Speaker: On the request for unanimous consent, those in favour?

4:10

Mr. Chase: I'm just asking for qualification. Could you list the business and the reports that you'd like to get back to so that I can be supportive of your intent?

The Acting Speaker: There's no debate on the motion.

Mr. Zwozdesky: Mr. Speaker, if I could just quickly, it's exactly as on the Order Paper: Presenting Reports followed by Presenting Petitions followed by Notices of Motion followed by Introduction of Bills, Tabling Returns and Reports, and Tablings to the Clerk.

[The Speaker in the chair]

The Speaker: I'm sorry, hon. member. There is no debate in a request for unanimous consent. It's quite clear that consent is being made to get back the Routine starting at Presenting Reports by Standing and Special Committees and going through to the conclusion of the Routine.

[Unanimous consent granted]

Presenting Reports by Standing and Special Committees

The Speaker: The hon. Member for Cypress-Medicine Hat.

Mr. Mitzel: Thank you, Mr. Speaker. As chair of the Select Special Auditor General Search Committee I am pleased to table the committee's report recommending the appointment of Mr. Merwan N. Saher to the position of Auditor General for the province of Alberta. Copies of the report are being distributed to all members of the Assembly today.

The Speaker: Thank you very much. Concurrence in that report is not required.

Notices of Motions

The Speaker: The hon. Deputy Government House Leader.

Mr. Zwozdesky: Thank you, Mr. Speaker. I'm pleased to provide oral notice of the following motions:

Number 1:

Be it resolved that pursuant to Standing Order 3(9) the spring sitting of the Assembly stand adjourned upon the Government House Leader advising the Assembly that the business for the sitting is concluded.

Number 2 is with respect to a FOIP referral.

Be it resolved that

- (1) The Standing Committee on Health be deemed to be the special committee of the Assembly for the purposes of conducting a comprehensive review of the Freedom of Information and Protection of Privacy Act as provided for in section 97 of that act.
- (2) The committee must commence its review of the Freedom of Information and Protection of Privacy Act no later than July 1, 2010, and must submit its report to the Assembly within one year of commencing its review, including any amendments recommended by the committee.
- (3) No additional remuneration shall be provided to the members of the committee for the purposes of this review.

Thirdly,;

Be it resolved that the Legislative Assembly concur in the report of the Select Special Auditor General Search Committee and recommend to the Lieutenant Governor in Council that Merwan N. Saher be appointed as Auditor General for the province of Alberta for a six-year term.

Thank you.

Tabling Returns and Reports

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

Ms Pastoor: Thank you, Mr. Speaker. I'm tabling the required five copies of the teen category winning photo from the 2009 Lethbridge public library's Caught Reading photo contest. This picture, entitled Anywhere Any Time, was taken by Miss Hannah Forster, who was introduced with her mother and sister earlier this afternoon.

Thank you, Mr. Speaker.

Tablings to the Clerk

The Clerk Assistant: I wish to advise the House that the following document was deposited with Office of the Clerk. On behalf of the hon. Mrs. Jablonski, Minister of Seniors and Community Supports, responses to questions raised by Ms Pastoor, hon. Member for Lethbridge-East, Mrs. Forsyth, hon. Member for Calgary-Fish Creek, Ms Notley, hon. Member for Edmonton-Strathcona, and Ms Blakeman, hon. Member for Edmonton-Centre, on February 17, 2010, Department of Seniors and Community Supports main estimates debate.

The Speaker: We're now concluded that section of the Routine. Shall I now recognize the hon. Deputy Government House Leader to request that I leave the chair and that you return to committee?

Mr. Zwozdesky: Yes, may I request that of you, Mr. Speaker, so that we can go back to private members' business.

The Speaker: I don't feel slighted at all.

Public Bills and Orders Other than Government Bills and Orders Committee of the Whole

[Mr. Mitzel in the chair]

The Deputy Chair: Hon. members, I'd like to call the committee to order.

Bill 202 Mandatory Reporting of Child Pornography Act (continued)

The Deputy Chair: We have under consideration amendment A3. Any comments or questions? The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Chair. I don't at all believe that there are members in this House that don't understand the importance of child pornography or are not against child pornography. That is absolutely clear. We don't want to descend into an area where we're accusing each other of not caring about that issue or not thinking that it's wrong or whatever. However, where we have a very legitimate disagreement is on the priority or the urgency that this government is showing for this bill. That's where the difference of opinion is.

You know, I just cannot believe that the hon. Solicitor General would stand up and actually, after all the work that this hon. Member for Calgary-Fish Creek has done in the protection of children for years . . .

Mr. Oberle: Eight years, right? Eight years.

Mr. Anderson: Much more than that hon. member over there has done, much more than anyone here has ever done. He has the audacity to stand up and question her on it. It's just beyond belief. The smugness, the arrogance is just, well, indicative of this government, and it's indicative of why Albertans have totally lost faith in this government, that type of smugness.

Mr. Chair, it is with absolutely great sadness that we're going to have to pass a bill that doesn't have an implementation date. It's wrong. I don't care what the history of private members' bills is. I couldn't care less. What I do care about is that we pass a bill with an implementation date – with an implementation date – and get this legislation put into law as quickly as possible. That's what I care about.

The reason I care about that, Mr. Chair, is because I know of children and I know of individuals that have been affected by this scourge that is child pornography and child abuse because of the road that child pornography leads to. I think many of us in this room know of people who have been affected by this and have been absolutely scarred beyond almost any hope of rehabilitation. So I don't understand.

I can understand, you know, if it's a complicated bill. I mean, if it's like the royalties, which took seven months to implement, from accepting the findings of the Hunter report to actually saying: this is what we're going to do. It took them seven months there. Lots of complications there. I can understand that it takes a long time to do that, but they still did it. They didn't get it right, but that's beside the point. The point is that some bills do require some time.

This is a very simple law. It is very simple, and it is very urgent. It is needed. The longer we wait on this law, the longer certain children will suffer. That's just the way it will be. This is another tool that we need to give our law enforcement right now.

Now, I'm not going to sit here and say that these other 15 bills here, that were passed or are going to be passed, are not important. They are important. Well, some of them are important; some of them I disagree with. Some of them were important, and we needed to pass them for sure. What I don't understand is that there's such an urgency to pass those bills, yet there's not an urgency to see this through and make sure that not only is it passed, this anti child pornography bill, but that it is also proclaimed into law as soon as possible. There is no reason not to do this, Mr. Chair.

The former minister of health, the current Minister of Energy, when he was going to reform the health system and centralize services into Alberta Health Services, had a 30-, 60-, and 90-day plan. This is the biggest budget that we have in government, the biggest department: a 30-, 60-, 90-day plan. Well, that's okay. It was quick. Again, not very good but quick. You've got to give him that. They got the bureaucrats in there working, and they got that thing done. And you're telling me that a bill that's about three pages thick, that has very, very few things actually being added – but what is being added is very important – that March 31, 2011, isn't enough time to implement them? Is that some kind of bad joke? I just don't understand this.

4:20

I would like to see the Solicitor General or the Justice minister stand up in this House, one of the two, and tell us when this is going to be proclaimed. If they're going to say that they don't want a proclamation date because they don't want to set some kind of precedent, fine, go ahead, but at least tell this House when we can expect, when the children of this province can expect to have this bill passed. I am sick and tired of politicians sitting on their butts, doing nothing on this issue, Mr. Chair. It is absolutely embarrassing. This is probably the biggest issue we're facing.

Every report that comes out in the media over the last several years on this subject says that this problem is rampant. It is absolutely rampant. It is one of the most disgusting, sickest problems of our time, and it is not a minority problem. It's not like a small, little: oh, a few people do it. It is unbelievable to me and to many people in this House that many people in our society, even in Alberta – even in Alberta – are participating in this stuff, in this filth. We need to be doing everything we can. That should have been Bill 1. If they wanted to take this and soup it up and do even more with it or whatever, then that should have been Bill 1 or 2 or 3 or 15 or 16. Instead, we're going to shut the House down here after this week. We're going to shut it down, and we're going to put this off, and we're going to put a whole bunch of other things off for whatever reason. I mean, this is ridiculous. Let's pass something on this that's effective.

This former minister and current member has been working on this for years. The Solicitor General, of course, makes light of that because he hasn't done a darn thing yet. She has, and he hasn't. Until you do something, then maybe you should just cool it.

The point is, Mr. Chair, that we need to pass this. We need to pass this bill right now and with a proclamation date so that right now, from this point on, at the end of this session, when they read the bills that have been passed, when they proclaim them into law, we can know that the clock has been set on getting this bill implemented. I will be, obviously, extremely disappointed.

Every week I write an article or opinion piece for my local papers. It's like a weekly blog. Many of us in here do. Not once in the whole time I've been here, with the exception, probably, of when I crossed the floor, has one article elicited as much response and definitely as much uniform response as this one. I've never seen anything like it. You post it on there, and all of a sudden there were, like, a hundred responses to it. It was unbelievable. On Facebook. On Twitter. On the website itself. Through e-mails coming in. People saw this in my local community, and they said: "You know what? That has to be passed and implemented right away." Not one person disagreed. I guarantee that if you polled Albertans, I bet you it'd be 99 per cent that would agree that this thing needs to be passed immediately and that it needs to be proclaimed into law probably immediately, definitely within the next few months, because it is that big of a problem.

Now, Mr. Chair, I am, again, not saying that the members on that side of the House are for child pornography or something like that. Definitely I am not saying that. But there is an urgency issue here. There's an urgency issue that needs to be addressed, and I want to see some urgency from this government on this issue rather than some smiles and some snide remarks. That's what I'd like to see. So far all I've heard is snide remarks, and all I've seen is smiles. That's unacceptable, especially on a serious subject, where people are dying and having their innocence stolen from them as we speak. We're going to close the House up and leave. Why don't we sit down here and start having a real debate and start working together as a House and as a team on how to figure out a way to better protect our children? That is what I care about.

It's unbelievable, Mr. Chair, the smugness and the arrogance. It just blows my mind. That's why Albertans are leaving. That's why I left. That's why this member left, and that's why people continue to leave, because of the arrogance and the smugness. Their priorities and their urgency do not match the priorities or urgency of Albertans, and frankly they don't match the priorities and urgency of a lot of the people in that backbench right now. Sorry. Oh, that's an offensive remark. Sorry. The private members.

I know for a fact that there are many private members over there that want to support this bill. They want to support this bill, and

they want it proclaimed immediately. You know, maybe the Deputy Premier doesn't want it proclaimed. I don't know, but I'll tell you one thing for sure: they're not going to vote that way because there's no semblance of democracy over there, and they know it. That is unacceptable.

If there was really a free vote in this Legislature, this bill would be passed. It would be proclaimed within months. But it's not going to be because you're too busy thinking about yourselves and no one else.

The Deputy Chair: Any other members wish to speak? The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. I was really going to let this go by, vote on the amendment, and get on with the bill because I think there are lots of members in this House who believe that the subject matter of the bill is important.

The hon. member has raised a whole lot of issues and talked about arrogance and smugness and all sorts of things that are quite irrelevant to the fact that this government in this province has done more for the safety of the community, done more for the protection of children, done more on all of those fronts than any other government in the country. I can say that as a former Attorney General and as a former Solicitor General and as somebody who sat with the hon. member when some of the best legislation on child protection was actually drafted and put through this House.

What this hon. member doesn't know because he hasn't got the experience – but his seatmate ought to know – is that passing bills that don't work together, passing bills without the regulatory framework ready to go is not good law. Good law is done carefully and done properly. This is a good bill. I hope that I get the chance to vote in favour of this bill, and I'm going to sit down quickly so that I can, but I couldn't let the hon. member deride the work that's been done by many members in this House, by this government on the safety of our community and the protection of our children, including some good work from the hon. Member for Calgary-Fish Creek before she went astray.

The Deputy Chair: On the amendment, the hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Well, thank you, Mr. Chairman. You know, I'm compelled to get up and speak again because I've listened very intently. I appreciate what the minister is saying. You know, Minister, you and I worked together when I was the Solicitor General and you were the Minister of Justice, and we had some good times travelling the province and pushing through a lot of things. I remember how adamant you were at all of these FPTs about raising the age of consent.

You know, we have now four provinces that have got this act: Manitoba, Nova Scotia, Ontario, and one other one that doesn't come to mind. So the lessons are learned in those particular provinces, and I've talked to them.

It's interesting that my former colleague from Peace River is in the paper January 28 saying, "Keeping Alberta's children safe from those who would prey on them is a vital function of ALERT." It was after a bust on child exploitation. Then we had the comment about throwing us a bone. Throwing us a bone would have been bringing this legislation forward as a government bill with a proclamation date.

Then he referred to Bill 201, our firemen that are waiting up in the Assembly. Quite frankly, you know, I've been around long enough, when the former member Richard Magnus brought forward the

original bill. We actually, all three of us, spoke in support of Bill 201. I'm hoping that the firemen get a proclamation date in regard to their bill because I think it's darn important, supported at work with the firemen in Calgary on the original bill, I think it was, that Calgary-North Hill Richard Magnus did such incredible work on.

What's interesting to me is for the Solicitor General now to sit and talk about a comment my colleague made about eight years and that if I had been on this issue of child pornography eight years ago, it would have probably been passed. Well, let's backtrack a few years. The Amber Alert I brought forward, first in Canada, and then took it right across the country. The high-risk offender that is in his department right now, doing the thing that was important and monitoring these sex offenders when they're in our neighbourhood and hurting our children. I don't see him coming up with anything. I put together the IROC team, the integrated response to organized crime, to deal with all of these issues. You know, I brought in DECA, the Drug-endangered Children Act; PCHIP, the Protection of Children Involved in Prostitution Act. This minister has been there since January. I'd like to know what bright ideas he's brought forward.

4:30

Mr. Chair, I will accept the fact that the government of the day does not like the idea of a proclamation date. I will even accept the fact that on the bill originally it said July 31, and that might have been pushing the envelope a little bit. Then we brought forward an amendment on December 31, 2010. The same member got up and talked about: we need to study this. How many lawyers do they have in this government? How many people have to be consulted on the issue of child pornography? We left the regulations open so that the Solicitor General could talk to his ALERT team and use them, or he could use Cybertip if he wanted. Then we said: "Okay. We'll go to March 31, 2011." "No. Can't be done." My Battle River-Wainwright colleague over there said: "Okay. We can have this done by September." I think he said that; I don't have the Blues in front of me.

You know what we're going to do, Mr. Chair? We're going to hold them to their word in September, and I'm looking forward to coming back in the fall session, which is October, I do believe, unless it's changed again. I'm going to look forward to them bringing forward the regulations. I'm going to look forward to third reading on this particular piece of legislation. I'm even looking forward more to proclamation. I'm going to watch and I'm going to monitor and I'm going to talk to the people that have talked to me on this particular piece of legislation to hold them accountable, especially when the Minister of Education talks about the fact that they've done more than any other government in this province.

Well, I was chair of that task force. I know what Albertans were telling me. I travelled across this province listening to what Albertans told us. We brought forward a very good, concise report, and I want to thank the team that I travelled with because they worked very hard to make sure that what we were doing would make Alberta probably one of the safest provinces to live in.

We are probably close to running out of time. I'll look forward to voting on this. I'll even look forward more to the fact that this government has said that they like this particular piece of legislation. They don't like the proclamation date on this piece of legislation. They need to do more consulting. They need to talk to more people; I'm not sure whom they're going to consult. They need to deal with the regulations. Well, the Minister of Justice and the Solicitor General at their next FPT can talk to the provinces, and I would suggest that they talk to the minister responsible in Manitoba, Gord Mackintosh, a great guy. I worked with him when he was the former

Solicitor General in Manitoba. He'll tell them how it's done, very succinctly and very easily. They can keep us abreast on that.

Thank you.

The Deputy Chair: On amendment A3, the hon. Member for Calgary-Buffalo.

Mr. Hehr: Thank you, Mr. Chair. It is a privilege to speak on the amendment by the hon. Member for Battle River-Wainwright. Speaking on the amendment, I think that this has been an important bill that should and could have been passed with July 1. I appreciate the history lesson given that, generally speaking, bills passed on the government side were on proclamation. Now, it looks like this bill should be passed, and it could be passed in some sort of time and in some reasonable fashion. I hear the government side indicating that they will work hard on this bill and that they support the intents of this bill and the merits and that they feel they can have it done by the September legislative sitting.

Well, on the record here my only hope is that it comes to fruition, that the government looks at this bill, looks at the merits of this bill, and comes out with a bill of their own making ready to pass in September. I thank the Member for Calgary-Fish Creek for her hard work on this, and I hope the government does bring this forward, and in September, given the statements made here today, I'm assuming that that will happen. I can trust that the Solicitor General, who has spoken in favour of the merits of this bill, and the hon. Member for Battle River-Wainwright will remind themselves of that sort of due date, if we can call it that, and that we'll see this on the Order Paper come September, and I look forward to that.

Thank you very much, Mr. Chair.

The Deputy Chair: The hon. Member for Battle River-Wainwright.

Mr. Griffiths: Thank you, Mr. Chairman. I have got to clarify some of the comments that I made since it appears that in this short amount of time since the last time I spoke, there have been a lot of comments attributed to what I said that are not accurate. Never once did I mention the word "September." I talked about the fall, and my comments were that the original legislation calls for July 1, 2010. The first amendment called for December 31, 2010, and then the subsequent one called for March 31, 2011. I'd argued that July 1 was too soon. I had argued that December 31 was perhaps too soon as well. I'd argued that March 31 might give us enough time.

But if perchance it all went smoothly and we were done this fall, which could be September or October, if we were done the consultations in the fall, it would be a crying shame to wait until March 31 – as the opposition claims, kids are being persecuted all over the place – to actually proclaim it as law. It would be nice if the consultations ran smoothly and we were done this fall. It would be nice if we could proclaim it instead of waiting until March 31. Those are the comments I made, not that we would have this done by September.

Thank you.

The Deputy Chair: The hon. Member for Calgary-Fish Creek.

Mrs. Forsyth: Thank you. I really appreciate the fact that the member has clarified that it would be a crying shame that we'd have to wait for March 31, 2011, on this private member's bill. Yes, it would. So to take away the crying shame, the government can bring a government bill forward in the fall, in October if they want. They can ignore this little private member's bill. They can bring a government bill forward in the fall as one of their number one

priorities come October. They can have it passed and they can have it proclaimed because they've done all the studying that they can on this private member's bill. Ignore my private member's bill completely; take all the credit for it under a government bill. And guess what? Everybody will be happy, and more importantly the children in this province will be safe.

Where I'm failing to comprehend everything is: consult, consult, consult. You know, the government must have a room somewhere in the universe that is full of consulting papers. It must have five rooms. I don't know where they send them. They consult till the cows come home, and the cows are still wandering around somewhere. It's amazing to me how they always use the word "consult." They're consulting. They're consulting. I don't even know how many times we're consulting this session.

To the Member for Battle River-Wainwright, forget the date. Whether it's July 31 or December 31 or March 31, if this is a priority for the government of Alberta, then do the right thing, and the right thing is: bring a government bill forward in October, when we're back in session. We will proudly stand up and support the bill. We'll get it through. I've seen the bills go through click, click, click, click, very quickly from second to committee to third. We'll bring the new Lieutenant Governor in, and we'll get him to proudly sign off the proclamation.

You can forget the private member's bill. I'm sure the Solicitor General cares so deeply about children. He quoted on the 28th of January how deeply he cares about children. He has a wonderful staff within his department, that I had the privilege and the pleasure of working with when I was the former Solicitor General. Not only that, but he has an ALERT team, that can give him all the information he wants in regard to all the hard work that they've done. He can bring the bill forward under his name and show that he's doing something when he's the Solicitor General of this province.

The Deputy Chair: On amendment A3, the hon. Member for Calgary-Glenmore.

Mr. Hinman: Yes. Just a few more quick comments on why we need to vote against amendment A3. The hon. member obviously has a listening problem because the amendment would be on or before – I'm speaking to you, to the hon. member – March 31, and that puts the whole problem at rest. You need to realize that the people of Alberta will be very disappointed if, in fact, they don't bring it forward by this fall. We should have been able to have this done this spring. They knew about this private member's bill. The work should have been done, and it hasn't been. They fail to recognize that, and they won't admit to their own shortcomings.

4:40

Just to go back to saying that they need to get it right, they didn't get it right with our new royalty framework. They didn't get it right with the new centralized health board. They didn't get it right on all these things, but they passed those bills, Mr. Chairman. For them to use the excuse of having to get it right, it's unacceptable and not there. When we had so many problems with the new royalty framework and they realized that finally, they said: oh, we're going to release the Competitiveness Act, and it'll be this fall. We had to wait until March. It was four, five months after they said: oh, we can get it done. That was critical to our economy. So for them to say, "Oh, we're going to get it done," Albertans question this government on its ability and its priorities to get it done. We need to have a date. On or before March 31 is an easy amendment that could have and should have been brought forward, not saying: no proclamation date.

We should be voting against this. Anybody that votes for this should be ashamed. We need to defeat this and bring it back to the other amendment: on or before March 31, 2011. It's unacceptable to say that we don't need a date and that they're going to work hard. Their record doesn't support it.

The Deputy Chair: Any other members?

Mr. Oberle: Mr. Chairman, I just need to point out that – I don't know – it's kind of a silly debate. We've fallen into a hole here, and we're not gaining any ground. The hon. Member for Calgary-Fish Creek said that if we bring forward a government bill this fall, we could ignore this little bill. That would be true if we pass this amendment. If we keep the date in the bill, in fact it's not true because at that point the bill is in force, and we have to pass a bill to repeal the bill. So the member is incorrect with that.

The second thing, Mr. Chairman. I would like some example from any opposition member over there – it doesn't matter which one – of any point in time when we were debating a government bill when they said: "You know what? This bill might be a little bit flawed, but we should pass it, and we can fix it later." Or maybe we could have an example of one point in time when the opposition suggested: "You know what? You've probably consulted enough. You don't need to consult any more." I don't think you're going to be able to come up with such an example. It's just simply not there.

It's a silly debate. We're just talking about a bill coming into force on proclamation. If, indeed, the government consumes that subject area into a government bill, done deal. That's exactly what the Member for Calgary-Fish Creek was talking about.

Mr. Anderson: I have to answer the hon. member's questions. It's my duty. Actually, Minister, during the debate over the Competitiveness Act I clearly said on the record that the act, the spirit of the act, was needed, that we need to be more competitive as a province. I didn't think it was a perfect bill for several reasons but that we should pass it anyway. So, you know, Bill 1, and you can keep going from there.

The Deputy Chair: The hon. Member for Calgary-Varsity on the amendment.

Mr. Chase: Yes. I'm rising to call the question, Mr. Chair. We have other extremely important bills to deal with, Bill 201. I'm calling the question on the amendment. That's what I'm asking for.

The Deputy Chair: I'll call the question on the amendment, hon. member.

Mr. Chase: Thank you. That's what I'm suggesting.

The Deputy Chair: If there are no other speakers, I will call the question.

[Motion on amendment A3 carried]

The Deputy Chair: This takes us back to Bill 202 as amended. The hon. Member for Calgary-Varsity.

Mr. Chase: Yes. I don't want to prolong this because I very much want to get ahead with Bill 201, but I'm looking for clarification. It can come from the House leader; it can come from the chair. Is it possible to delay further discussion of this bill by suggesting that it not be read now but be read six months hence? Is that legitimate?

The Deputy Chair: No.

Mr. Chase: It isn't?

The Deputy Chair: No.

Mr. Chase: Okay. Thank you.

The Deputy Chair: I will call the question on Bill 202 as amended.

[The clauses of Bill 202 as amended agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Opposed? That is carried.
The committee to now rise and report.

Mr. Hancock: I would so move, Mr. Chair.

[Motion carried]

[Mr. Mitzel in the chair]

The Acting Speaker: The hon. Member for Calgary-Fort.

Mr. Cao: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration a certain bill, Bill 202. The committee reports the following bill with some amendments: Bill 202.

The Acting Speaker: All those members of the Assembly who agree with the report, please say aye.

Hon. Members: Aye.

The Acting Speaker: Opposed, please say no. So ordered.

**Public Bills and Orders Other than
Government Bills and Orders
Third Reading**

**Bill 201
Workers' Compensation (Firefighters)
Amendment Act, 2010**

The Acting Speaker: The hon. Member for Leduc-Beaumont-Devon.

Mr. Rogers: Thank you, Mr. Speaker. It's with pleasure that I rise to move third reading of Bill 201, Workers' Compensation (Firefighters) Amendment Act, 2010.

[The Deputy Speaker in the chair]

I would just like to sincerely thank all hon. members from both sides of the House for their eloquent support of this bill and for what it means to the members of our firefighting fraternity in this province, and I want to thank the firefighters that have sat through a rather interesting Committee of the Whole debate. It's been said that passing legislation is like making sausage: we do grind through it. I thank you for your patience.

Mr. Speaker, I would forgo the rest of my comments and ask all hon. members to use the time remaining to us today to support passage of Bill 201 for third reading.

Thank you very much.

The Deputy Speaker: The hon. Member for Airdrie-Chestermere.

Mr. Anderson: Thank you, Mr. Speaker. On behalf of the Wildrose Alliance caucus I'd like to stand and say that we fully support Bill 201. It is a very needed bill. It's the responsible thing to do, and I commend the hon. Member for Leduc-Beaumont-Devon for having the foresight and for consulting with his constituents and with the firefighters to get this moving on. On behalf of all three of the members of this caucus, we support the bill.

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

Mr. Chase: Thank you. To echo the hon. member from the Wildrose, we the Official Opposition of the province of Alberta have supported this bill throughout its second, at Committee of the Whole, and now in its third reading. We see the value of this bill. I am pleased that they, basically our heroes in the Legislature here today, will have the protection that they so richly deserve.

The only comment I would make is that I hope that we push in further legislation, whether it be through amendment or through another bill, the same type of protection for other first responders, including paramedics and police.

Thank you very much, and I look forward to the vote.

The Deputy Speaker: Any other member wish to speak on the bill?
Seeing none, the chair shall now call the question.

[Motion carried; Bill 201 read a third time]

**4:50 Public Bills and Orders Other than
Government Bills and Orders
Second Reading**

**Bill 203
Municipal Government (Local Access and Franchise Fees)
Amendment Act, 2010**

The Deputy Speaker: The hon. Member for Calgary-North Hill.

Mr. Fawcett: Thank you very much, Mr. Speaker. I am pleased to rise today to open second reading debate on Bill 203, the Municipal Government (Local Access and Franchise Fees) Amendment Act, 2010. I bring this bill forward with the intent of achieving clarification and transparency around municipal local access and franchise fees. To this end, Bill 203 proposes a standardized formula or calculation method for determining municipal access and franchise fees.

Specifically, Mr. Speaker, the formula would require that franchise fees and access fees be based on the quantity of energy consumed whereas the rate is charged on a per unit consumed basis. By having all municipalities calculate their fees based on per unit energy consumption, rates would then be more easily compared between municipalities.

Mr. Speaker, I must emphasize that this bill would not specify a particular rate for any municipality, nor would it place any limits on a rate a municipality could charge. I recognize that the situation facing each municipality is different, and this does leave the flexibility for municipalities to implement their own rates.

Mr. Speaker, I recognize that the revenue generated from these

fees serves a purpose for municipalities and that the intent is not to place a limit on the revenue that municipalities may raise. That is an issue between the individual municipality and their specific citizens; however, Bill 203 would simply ensure that these fees are collected in a fair and transparent manner.

Allow me to provide a brief explanation of these fees, Mr. Speaker. Local access fees are, essentially, fees charged by the municipality and collected by the utility operator in lieu of property taxes for land in which utility infrastructure like power lines is located. This would be true for franchise fees except for natural gas and the pipelines that distribute that natural gas. So, in simple terms, local access fees and franchise fees are property taxes for power lines and gas lines. These fees are charged by the municipality to the utility companies through an agreement, who then pass this charge on to the consumer on their monthly power bill.

Mr. Speaker, there has often been some ambiguity surrounding these fees as it can appear that they are being charged by the utility operator rather than the municipality. As a result, constituents have even referred to this to me as a hidden tax.

Bill 203 proposes to clarify the situation surrounding these fees by introducing three amendments to the Municipal Government Act. First, it would create a standardized fee calculation formula, which is, as I have said, based on the quantity or volume of power or gas consumed. Thus, municipalities would charge a set dollar amount for each kilowatt hour of power consumed. For example, a municipality can set the rate at 5 cents per kilowatt hour, and if a consumer uses 100 kilowatt hours of power, their fee would be \$5. This would be the same for a municipality that decided they want to set it at 10 cents per kilowatt hour. At a hundred kilowatt hours of energy consumed, their fee would then be \$10.

Mr. Speaker, Bill 203 proposes to use this formula because it provides an easy comparability and better equips citizens to assess these fees as municipal voters. Currently in Alberta there are three main formulas used to calculate these fees. The first formula, the one used by a majority of municipalities, is a formula that determines the fee from a percentage of the total delivery or distribution cost. The problem with this formula is that distribution costs can vary significantly from municipality to municipality. One municipality can charge an access fee of 10 per cent, but because their distribution costs are more expensive, the citizens would be paying more than a municipality charging 15 per cent. There is some logic behind this particular formula, but it does make it very difficult to compare across the different municipal jurisdictions. Essentially, this formula cannot easily be compared.

The second formula used in Alberta bases fees off a percentage of the total monthly utility bill or the total cost of electricity delivered. The problem with this formula should be very obvious. It ties access fees and franchise fees to the shifting commodity prices, not exactly in line with the original intent behind these fees. As well, this also provides significant challenges, particularly to small-business owners, when electricity prices increase. Yes, the fee would decrease when electricity or natural gas prices decrease, but when it comes to business and financial planning for that business, it causes significant problems when electricity or natural gas prices go up, and they are not just obliged to pay those increased commodity prices but also get tacked on an additional increase on their fee.

The third formula, Mr. Speaker, in use is the consumption-based formula being proposed by this bill.

Mr. Speaker, the second amendment proposed by Bill 203 would require that the local access fees and franchise fee revenues be clearly disclosed on municipalities' annual financial statements. Now, it is true that municipalities must already list total fee revenues. Bill 203 would simply require access and franchise fees to be

listed separately from general fee revenue. Again, this would facilitate transparency and an open dialogue about the revenue generated from these fees.

Mr. Speaker, the final proposal made by Bill 203 is that any rate changes be advertised at least 90 days prior to those changes taking effect. Municipalities would be allowed to do this either in their local newspaper or somehow online. Advance notification would ensure that municipal residents are fully informed of any changes to these fees and give them the opportunity to consult with their local elected representatives if they have any concerns as well as allow businesses and households to plan for the increased fee charge.

All three of these proposed amendments are designed to allow Albertans to better understand these fees and make it easier for all Albertans to be engaged in the discussion and the decision-making process on what the level of these fees should be. At the very least, Bill 203 can lead a productive dialogue about access and franchise fees that I believe is well warranted. After all, if citizens are clearly informed about property tax changes, why would local access fees and franchise fees be any different?

Mr. Speaker, I would now like to touch briefly on the last key element put forward by Bill 203, and that is the coming into force date. As I mentioned, there are several formulas already in place across Alberta, and many of these are the result of multiyear contracts drawn up between municipalities and utility companies. It is not the intent of Bill 203 to nullify these contracts with no regard to the agreement made between these two entities, so Bill 203 proposes to allow municipalities with current contracts a grace period until January 1, 2015, to come into compliance with the legislation.

Mr. Speaker, simply, Bill 203 is concerned with creating an atmosphere of transparency, not creating burdensome scenarios for municipalities.

In closing, I'd like to stress again that Bill 203 will not limit the revenue that a municipality could generate from local access fees and franchise fees, nor will it even require municipalities to collect these fees at all. Rather, this proposed legislation simply aims to create a situation where municipal residents can easily compare their fees with those charged by their municipal neighbours and, as a result, appropriately assess the fees within their own municipality. Bill 203 is in the best interests of all Albertans. I believe that there is a great deal of support for taking a closer look at local access fees and franchise fees.

With that, Mr. Speaker, I will conclude my comments. I look forward to future discussion.

Thank you.

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

Mr. Chase: Yes. I see time is running out on further discussion on the second reading of Bill 203. I will look forward to the fact that it survived the process and will continue on into the fall, at which time we'll have the proper time to continue our discussions.

Thank you.

The Deputy Speaker: It's 5 o'clock, so we shall not continue the debate on Bill 203. We'll continue on business of the day.

5:00 Motions Other than Government Motions

The Deputy Speaker: The hon. Member for West Yellowhead.

Willmore Wilderness Park

507. Mr. Campbell moved:

Be it resolved that the Legislative Assembly urge the govern-

ment to not bring forward changes to the Willmore Wilderness Park Act which would restrict traditional land uses such as outfitting, trapping, hunting, and fishing.

Mr. Campbell: Thank you, Mr. Speaker. It's my pleasure today to talk about Motion 507. The Willmore wilderness area is in my riding just north of Grande Cache, and it encompasses over 4,600 square kilometres of land. The purpose of this motion is to ensure that the government of Alberta continues to recognize as is the Willmore Wilderness Park Act. This act promotes the management and conservation of resources within the Willmore wilderness park and provides the legislative assurance of traditional activities like outfitting, trapping, hunting, and fishing. Activities like hunting and fishing are key elements of conservation, and it is those who participate in these activities who are the conservationists. By continuing to support their activities, as Motion 507 urges, the Willmore wilderness park will continue to be preserved for future generations.

Mr. Speaker, I think it's important to note that Grande Cache became the home for a number of aboriginal families in 1905 and 1906 after they were asked to leave Jasper national park, and today, you know, a hundred years later, many of the descendants of these families continue to hunt, fish, and outfit in the Willmore.

The Willmore is still a pristine wilderness area but does have some pressures. The mountain pine beetle has the capability of destroying the old-growth forests that line the river valleys within the 4,600 square kilometres.

Mr. Speaker, this is an area that is for the most part self-governed. Of course, SRD patrols through fish and wildlife officers and parks has their officers patrolling, but it's the people who use the landscape on a regular basis that understand its true value and keep its integrity intact. It is these people that clean the trails and look to see that those using the area do so in a responsible manner and at times help those who are not experienced and get themselves in trouble.

This is a true wilderness area fraught with dangers for those not properly equipped or experienced in outdoor activities. In my own experience of over 25 years of guiding, I could spend the whole afternoon talking about people who've had to be rescued or supported because they were not outfitted properly or were outside of their capabilities. The Willmore is one of those areas, Mr. Speaker, that can provide that.

This area is also located on the Continental Divide. The divide provides many streams and rivers that supply water to the Peace and Athabasca rivers. Other rivers within the park are the Sheep, Jackpine, Smoky, Berland, Sulphur, Muskeg, and Wildhay. In many of these rivers and streams within the park are Rocky Mountain whitefish, rainbow trout, and bull trout.

Mr. Speaker, this park was created in 1959, when local residents were concerned about the amount of roads that the oil and gas sectors were developing through the region. Norman Willmore, who at the time was the MLA for Edson, lobbied for and eventually had the area declared a wilderness park where trapping and fishing would be permitted; however, all motor vehicles were restricted from the area. The only permitted transportation is by foot, horse, or bicycle. These regulations were reflected in the Willmore act.

Mr. Speaker, the current situation we face is that Alberta Tourism, Parks and Recreation along with Parks Canada and B.C. Parks have been considering a new nomination for UNESCO world heritage status of the Canadian Rocky Mountain parks, which could include the Willmore wilderness park along with other protected areas that are adjacent to the current UNESCO designation. I quote from the Alberta Tourism, Parks and Recreation website.

Alberta Parks is in early discussions with Parks Canada and B.C. Parks on the possibility of expanding the current Canadian Rocky

Mountain Parks World Heritage Site. Should the expansion have clear benefits, the project committee will consult with the public, affected stakeholders, communities, First Nations and Métis, and government departments in both provinces before proceeding with submission of a re-nomination package to UNESCO.

Parks Canada states:

Four other contiguous protected areas on the Alberta side would also merit consideration in a re-nomination of this site [the Canadian Rocky Mountain Parks World Heritage Site]. These include the Ghost River and White Goat Wilderness's (IUCN category I), Peter Lougheed Provincial Park, and the Willmore Wilderness Park. All of these offer high quality habitat, equivalent and complementary in value to the existing World Heritage site. The inclusion of these six additional contiguous provincial protected areas would result in a 13-park World Heritage complex and an approximate 25% size increase [in area].

Mr. Speaker, I think it's important to understand what the Willmore Wilderness Park Act says.

In this Act,

- (a) "land" means land of the Crown in right of Alberta;
- (b) "Park" means the Willmore Wilderness Park established by this Act.

Under part 3 of the act, Use of Park, it states:

The Park is dedicated to the use of the people of Alberta for their benefit, education and enjoyment, subject to this Act and the regulations, and shall, by the management, conservation and protection of its natural resources and by the preservation of its natural beauty, be maintained for the enjoyment of future generations.

Also, part 4 of the act says under industrial activities:

No person may conduct any industrial activities, including, but not limited to, mining, geological and geophysical explorations, water management, hydro-electric power and pulp and paper mills, saw mills and other forestry related industries, within the Park.

I think that the park and the act as it stands now will serve the province of Alberta well. I know that in my riding there has been unanimous consent by the people in the Grande Cache area to leave the Willmore as it is. I've also attended a number of functions, Mr. Speaker, across Alberta put on by the Willmore wilderness foundation, where people have continued to say: "Leave the park the way it is. Let us be stewards of that land. We use it, we know what we're doing, and we have to look after it as it should be."

Mr. Speaker, I think that when you look at the UNESCO sites, there are a number of things that I have concerns over. One is the protection and management. Protection and management of world heritage property should ensure that the outstanding universal value and the conditions of integrity and/or authenticity at the time of inscription are maintained or enhanced in the future. All properties inscribed on the world heritage list must have adequate long-term legislative, regulatory, institutional, and/or traditional protection and management to ensure their safeguarding. This protection should also include adequately delineated boundaries. Similarly, state parties should demonstrate adequate protection at the national, regional, municipal, and/or traditional level for the nominated property.

Mr. Speaker, you know, I've spent some time dealing with UNESCO sites, being that I live in and represent West Yellowhead. I also live in Jasper national park, which is a world heritage site. I can talk to you about when we were involved in the Cheviot mine and trying to get that mine going south of Hinton, which was an expansion of the Cardinal River coal mine. I can remember the letter I got from the UNESCO world heritage people saying that the Cardinal River mine should not go ahead because of its proximity to a world heritage site. That mine is in production today, employs over 300 people, and is one of the main economies of the town of Hinton. It is also a wildlife sanctuary. There are grizzly bears, there

are elk, there are deer, there are moose, there are wolves, and there are cougars all within that mine site. Sheep: actually, people pay up to \$250,000 for the minister's permit to shoot bighorn sheep, which come off that property of Cardinal River.

The other thing that concerns me, Mr. Speaker, with UNESCO's designation is buffer zones. Wherever necessary for the proper conservation of the property an adequate buffer zone should be provided. For the purpose of the effective protection of the nominated property a buffer zone is an area surrounding the nominated property which has complementary legal and/or customary restrictions placed on its use and development to give an added layer of protection to the property.

Mr. Speaker, when you look at the size of the Willmore wilderness area, it's 4,600 square kilometres. When you get outside of the Willmore area, especially to the east and the south, you're into Grande Cache and the eastern foothills of the Rockies. One of the important economic developments that is happening across this country now is shale gas. Shale gas deposits are prominent within the Grande Cache and area south towards Hinton, and I can tell you that companies like EnCana, Talisman, CNRL are all working towards developing those areas. Those areas are also a major economic boom to this province. As we see conventional gas prices start to decline and we see oil prices up and down, we need the shale gas. Also, we have coal mines and coal mine deposits all along the eastern slopes of the Rockies.

If you look at a buffer zone, Mr. Speaker, what would be considered adequate? Is it one mile? Is it five miles? Is it 10 miles? Is it 20 miles? In the Grande Cache area the town of Grande Cache butts right up against Willmore wilderness park. You have Foothills Forest Products that, if they were within the buffer zone, would go under. That's 265 people unemployed in the town of Grande Cache. You've got Grande Cache Coal, which butts up right next to Willmore wilderness area. That would be over 500 people out of work in Grande Cache. You have ConocoPhillips, EnCana, CNRL, Talisman, you know, that employ hundreds of people in the Grande Cache area.

5:10

The only thing that wouldn't be affected – and I don't know if that's true or not – would be the jail. We have a federal institution in Grande Cache that employs about 300 people. That would be the only economic employment in this community. Also, it would affect, you know, right down along the eastern slopes.

Mr. Speaker, while I'm talking about the Willmore wilderness park, I'd be remiss to also not talk about Y2Y, which is Yellowstone to Yukon. These areas also employ the eastern slopes. This is something that we as a government and all our colleagues in government should be aware of.

Thank you, Mr. Speaker.

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

Mr. Chase: Thank you very much. I want to applaud and support the hon. Member for West Yellowhead for bringing forth this legislation. I will be voting in favour of it, but I do have reservations that I want to get on the record. First off, if we had the accomplishment of our land-use framework, for which I want to offer a bouquet to our current finance minister, the MLA for Foothills-Rocky View, for getting the discussion going – if we actually had a land-use framework bill in place with all its regulations, then this Willmore wilderness park, that's the subject of Motion 507, would be dealt with under designated land use.

At the same time I'd like to offer a challenge to the Minister of

Sustainable Resource Development, the MLA for Grande Prairie-Smoky, to follow up the work that was begun by the hon. Member for Foothills-Rocky View but has yet to be completed. With the sustainable resources network based on six watershed regions being the basis for land use, I think a lot of the conflicts between land usage will be dealt with.

I'm hoping that at some point this government moves from the concept of multi-use to priority use. You know, without going Roger Miller on you, there are certain activities, roller skating in a buffalo herd being one of them, that you cannot do simultaneously in the same area. Right now in Alberta we have over 350 parks and protected areas, yet only 40 of these have management plans. So for the Willmore wilderness park to be protected, the enforcement has to be there as well to ensure that the traditional usages, as the hon. member has pointed out, since the early 1900s are maintained and protected. What we do need is oversight through a management plan, and we need the enforcement through combination and cross-ministerial co-operation between the ministries of Sustainable Resource Development and Tourism, Parks and Recreation, and we need also, obviously, co-operation through the Ministry of Environment to ensure that the pristine and natural nature of this area is preserved.

Now, the hon. Member for West Yellowhead pointed out what the act states. I would like to add to it. The Willmore Wilderness Park Act also permits the Lieutenant Governor in Council to make regulations increasing or decreasing the size of the park. I hope there is never a thought of decreasing the size of the park. Most importantly for myself and the members of my caucus, it prohibits industrial activity in the park, including but not limited to mining, geological and geophysical exploration, water management, hydroelectric power, pulp and paper mills, sawmills, and other forest-related activities. In other words, it keeps it at its historical purpose, which was the conservation and protection of its natural resources.

The point of this act is to allow First Nations and Métis and, to a degree, guiding outfitters to continue to practise their historically approved activities within the park. I understand, but I will come from the other side of the debate, about making it a world-protected site, because I believe that with the proper enforcement, that would potentially add extra security to the area because there would be a global standard in terms of the protection of this wilderness area.

I do want to raise, however, some concerns that were brought to us by the Alberta Wilderness Association concerning Willmore wilderness park because I want to have them on the record. Hopefully, this motion will address these concerns. Willmore wilderness concerns:

- A management plan that addresses key concerns for the Willmore, including wildlife, watersheds, wilderness protection, fire programs, trail system maintenance and recreation is urgently needed.

As I stated before, we have over 350 parks and protected areas and very few management plans to guarantee that they are kept in a maintained manner. I know you can love a park to death, but in this case the park, to some degree, has not been managed and enforced to the extent that I believe it deserves.

Another concern that the Alberta Wilderness Association brings forward:

- Pressures for inappropriate resource development such as commercial recreational use. Recreational developments including a downhill ski operation, golf course and alpine village, as well as new roadways for off-road vehicles have been proposed in and near Willmore Wilderness Park.

Now, the hon. member talked about a buffer zone, and hopefully that will be part of this motion because it's absolutely essential that we don't have overlap and cross-purposing within this natural site.

The Alberta Wilderness Association also has concerns over

- commercial sales and inappropriate development of registered traplines that include increased and out-of-season use of ORV's and the growth in size and numbers of associated cabins.
- Non-commercial recreational use [is a concern]. Trails must be maintained for the safety of park users and to limit their impact on the park. The rules of the area, including a prohibition on off-highway-vehicle use must be enforced.

In other words, we've got this pristine jewel; let's maintain it in its pristine, natural state.

- Pressure to remove boating prohibitions for the section of the Smoky River in the park.

As I stated to begin with,

- lack of official stewardship is allowing trails to become eroded in some areas and unsafe in others due to lack of maintenance.

I've seen that in my own personal experience working in Cataract Creek. The danger of not maintaining pathways means that you end up closing them, and you limit the recreational experience.

- Backcountry guardianship is almost non-existent and few parks people know the Willmore, except perhaps from aerial overviews.

We talk about police feet on the beat. Well, we need people, conservation officers and SRD, regularly patrolling this area along with the people that usually sit on a regular basis and provide their input and observation and their love turned into enforcement.

- Lack of fire has allowed the former excellent wildlife habitat of the area to become overgrown with shrubbery and trees and poor for ungulates in particular. Fire hazards are also building to the point where conflagrations may be supported once the area burns. A program of controlled burns to create habitat and relieve fuel loads is important.

Fire suppression is also nature suppression.

- Species at risk such as the grizzly and mountain caribou are not receiving adequate official attention.

These are the concerns, and I believe they're just concerns that the Alberta Wilderness Association has put forward. However, it is my belief that by working with associations such as the Alberta Wilderness Association, the government can accomplish this.

I will end as I began. The important work begun by the current finance minister, the Member for Foothills-Rocky View, must be followed up on by the Minister of Sustainable Resource Development, the Member for Grande Prairie-Smoky. This is something that is of value to all Albertans, whether we live in the north or not. We need to designate our parks and protected areas, and we need to protect them.

Thank you for allowing me to contribute.

5:20

The Deputy Speaker: The chair has a list of speakers here. The first three would be the hon. Solicitor General, the hon. Member for Cypress-Medicine Hat, and the hon. Member for Rocky Mountain House.

The hon. Solicitor General.

Mr. Oberle: Well, thank you, Mr. Speaker, for the opportunity to participate in this debate. I thank the hon. Member for West Yellowhead for bringing forward this very interesting topic that kind of hits near and dear to my heart as a practising forester in the province of Alberta for many, many years. It's kind of interesting that we've always set aside pieces of land in our province and around the world to protect although it was always poorly defined exactly what protect meant. Certainly, Alberta has a history and examples of protected areas. Jasper and Banff are jewels of our national parks system. Wood Buffalo park: we've had protected areas for a very long time.

The discussion around protected areas and what they should be and what they provide and all those things was refined greatly over the years. Somewhere around the time that the United Nations released the Brundtland commission report, there was a world-wide effort to start talking about protection of ecosystems, functioning ecosystems, functioning populations, those kinds of things. There was a mad rush, you know: Canada's convention on biodiversity and those sorts of things.

We've talked about protected areas more and more. Somewhere along the line we've towed along this very old concept that we can increase the level of protection for a piece of land by being increasingly restrictive of its use. In some places it's a park. We can put trailers and have weekend camping, but nobody is talking about protecting an ecosystem in that case. We might be protecting a scenic view shed or something like that.

By being increasingly restrictive of use, eliminating industrial activity and eliminating hunting, fishing, trapping, other uses up to the point where we would build a chain fence or a wall around a piece of ground: now it's really protected. And that might, in fact, be true if our objective was to protect some static entity; historic rock paintings, for example. It could be very clearly demonstrated that if humans weren't allowed anywhere near it, that's how it's going to last the longest, and if you allow people up to touch it, that's how it's going to last the least. In that particular case, being very restrictive of access does in fact lead to increased or more rigorous protection.

What about if the value we're trying to protect is not static? Ecological values – for example, functioning ecosystems, functioning populations – are not static, and simply putting a fence around them doesn't preserve them for future generations. That's been proven in spades. You know, some of that thinking came out of Cape Breton Highlands national park, where they allowed a system to evolve that was all over-mature spruce and fir. The budworm came in and cleaned it out, just wiped that park out in a matter of weeks at way higher levels than normally would have happened because we didn't intervene and create a population situation there that would have handled a spruce budworm outbreak.

You may be able to make the argument that we're setting ourselves up for disaster from fire or pine beetle in some of our parks by doing exactly the same thing: refusing to intervene. But you'll notice that in Jasper park, for example, they've been quite proactive over the last few years about habitat maintenance or landscape vegetation maintenance. They're doing burns. They're actually doing single-tree logging events. It's wonderful, and they're trying to maintain a condition for future generations. That's the point of protection when it comes to an ecosystem. It's a dynamic system. You have to decide what future condition you want and then: what action and tools do I need to take in order to make that future condition hold true?

In just ignoring it, it isn't going to happen. The only thing that you know is that it won't stay in its current condition. It's going to change. Our forests are dynamic, and the populations that live in them are dynamic. So we require management plans. I agree with the hon. member and the hon. Member for West Yellowhead. We do require management plans because we want to define what condition we want to maintain this protected area in and what we have to do to ensure that it stays in that condition.

The "what do we have to do?" requires some form of intervention. It's often habitat intervention, controlled burns or some other disturbance, that will alter the vegetation pattern on the landscape, but it could be population intervention as well. In that regard, I wholeheartedly support the efforts of the Member for West Yellowhead in that I believe that hunting, fishing, trapping, those activities,

are highly effective management tools and can be used in accordance with a management plan to make a system unfold the way we want it to unfold, which will give us the future desired condition that we want, which is why we protected the area in the first place.

Merrily sticking our heads in the sand, putting a fence around something, and saying that it's protected will not work. We need active management tools, and the tools that the hon. Member for West Yellowhead defined are certainly part of a wide tool box of interventions that we could do in order to achieve a desired condition in a protected area.

I strongly support the member's motion, Mr. Speaker.

The Deputy Speaker: The hon. Member for Cypress-Medicine Hat, followed by the hon. Member for Rocky Mountain House.

Mr. Mitzel: Thank you, Mr. Speaker. It's a pleasure and an honour to rise today to speak to Motion 507, proposed by the hon. Member for West Yellowhead. At first blush, when I looked at this, it looked like a negative motion, a move that would not bring forward changes. But on a closer look at it, it's apt. It's very apt. This motion focuses on preserving the Willmore Wilderness Park Act. I'll go a step further, then, from what the other hon. members have said. It's been suggested – and I think the suggestion could possibly be true – that by the inclusion of the Willmore wilderness into the UNESCO world heritage site designation, there may be no need for the Willmore Wilderness Park Act once this designation is made.

Therein, Mr. Speaker, lies the problem. As we've been discussing, the Willmore Wilderness Act was passed in 1959. It was an act promoted by locals, introduced in 1959 by Norman Willmore, the MLA for Edson. This act established the Willmore wilderness park, where traditional land uses, including trapping, hunting, fishing, and outfitting, would be permitted and preserved. This act also restricts all motor vehicles from the area, where the only permitted transportation is by foot, horse, or bicycle. The Willmore Wilderness Act was clearly legislation created by the people for the people of Alberta. It was created so that there would be assurances of the proper management and conservation of resources within the park as well as ensuring the perpetuation of traditional activities such as outfitting, hunting, fishing, and trapping.

Alberta has a rich history of locally driven environmental legislation that protects our environment as well as traditional land uses; for example, the Wilderness Areas, Ecological Reserves, Natural Areas and Heritage Rangelands Act, which became law in the late 1990s. This act defines and preserves significant ecological areas across Alberta. They were divided into wilderness area designations with respective specific regulations. Similar ecological reserves, natural areas, and heritage rangelands had their own distinct regulations as well, with ecological reserves being the most restrictive.

I was a part of the discussions for the areas in my part of the province; namely, the southeast of Alberta. I co-chaired the committee that looked into all the applications and met with stakeholders to determine the significance of each area and then recommended the approved areas for designation. Our committee was charged with not only coming up with appropriate areas but were given parameters that stated there must be a certain percentage of Alberta lands designated in both ecological reserves and in natural areas.

At the beginning, Mr. Speaker, there was no mention of heritage rangelands. This particular designation came up when the committee could not come up with the desired percentage for natural areas. Our committee agreed to the new designation with restrictions: one, that it would remain under Alberta agriculture, as the grazing leases

were then; second, that all existing uses would be maintained. Since then, heritage rangelands, because it's within an all-inclusive act, is now under Alberta Tourism, Parks and Recreation. The mandate of this ministry is somewhat different from the mandate of Agriculture.

5:30

Another example. The Alberta Hunting, Fishing and Trapping Heritage Act is another example of legislation that protects our traditional land uses and also our cultural values. This act created a statutory right to hunt, fish, and trap that could be defended in court. I had the honour of bringing this act forward and having it proclaimed. Again, this is legislation that many Albertans support, specifically because it's part of their heritage. That's why so many Albertans support the Willmore Wilderness Park Act, not only because it was established by locals but because it has proven effective in maintaining and sustaining the Willmore wilderness park.

The Willmore Wilderness Park Act is a clear example of locals pursuing environmental sustainability in a way that maintains traditional land uses. Willmore park, Mr. Speaker, is considered one of the best-kept secrets, in large part due to the act that regulates it. The land stewardship of this park is exceptional, which may be why some have suggested it be incorporated into a UNESCO world heritage site. If for the past 50 years the Willmore Wilderness Park Act has led to effective management of this park, there is no need to change it. I support the act as it is now. It doesn't need to be amended or abolished to fit in with any international guidelines or regulations. The present act is a strong piece of legislation that will ensure the environmental sustainability of this park as well as the traditional land uses well into the future.

For me, the concerns far outweigh the advantages of being a UNESCO site. I thank our hon. colleague from West Yellowhead for introducing this motion, and I do not have anything whatsoever against UNESCO or the strong mandate that they have and the prestigious recognition that designation as a world heritage site would bring to the Willmore wilderness. What is of concern to me, Mr. Speaker: as I noted in my example of what has happened with the heritage rangeland designation, being now administered by a totally different body from what it was originally intended with a vastly different mandate, these grazing lands are now under parks administration. This is what I fear may happen: to a much larger degree it's an organization – and I'm talking about UNESCO – not located in Alberta and not having the same knowledge of the history and values of Alberta and Albertans who would suddenly be in charge. I'm sure the intent is to have things remain as they are right now, but as my previous example showed, I'm suspicious of management by people who are not from here but, rather, from around the world and with headquarters in New York.

With that, Mr. Speaker, I would urge all members of this House to stand in support of Motion 507. Thank you.

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

Mr. Lund: Well, thank you, Mr. Speaker, and thanks to the hon. Member for West Yellowhead for bringing this very important topic to the floor of the House. I had the privilege of being in the Willmore wilderness along about '57, '58, in that time frame. I was one of those bad guys with industry going into that pristine area.

Mr. Groeneveld: Still are.

Mr. Lund: Okay.

I had the opportunity to be in that area again a couple of times not that many years ago, and I was really pleased to see how little things have changed and how this act actually has protected the area. As the Member for Peace River was talking about with an ecosystem, with an area of that size certainly you are able to protect an ecosystem and have it work. Of course, it's over 50 years since it was proclaimed a provincial park by Dr. Norman Willmore. Incidentally, I believe he was the minister that was killed in an accident between here and Edson on the highway. I remember that situation was a very sad occasion because he certainly knew the portfolio that he had and did a lot of good things with it.

When you look at the activities that are permitted in that area, it's very, very important to recognize that our parks act is a very protective piece of legislation. It does give the opportunity for management plans that can vary some, but it restricts a lot of the activity that would tend to destroy an ecosystem. As the Member for Peace River was talking about, these things do change, so there are times when perhaps we need to intervene. I remember about 15 years ago or so, when rabies was going rampant and a lot of the wildlife was dying from that disease, there was some intervention in that case to try to limit the area that was being affected.

But I'm really worried if we start turning these things over to, say, UNESCO. For the life of me, I don't understand why some Albertans would be supporting this particular move. It's not a lot different than the Y to Y, the Yellowstone to Yukon, concept. That would be taking a strip all along the national parks from the Montana border clear up and through Alberta and on into Yukon. This concept, of course, was something that we dealt with back in the year 2000, even with the national parks. I remember meeting with one of the superintendents. He suggested to me that we should have a buffer zone in Alberta for the park, and they would manage the buffer zone. I said: that's fine as long as we have an area inside the park that we would manage. Of course, that wasn't acceptable. So it was a one-way street. With so many things like this, that's really the way it works.

The people in Alberta that promote this sort of thing: you have to look at where they're coming from and what their ideas are. Quite frankly, they are in the minority, and this is the only way that they feel they could get the opportunity to govern, not just to have input – we provide them input – but actually get the opportunity to govern. When you look at the park act, when you look at what it's done for the Willmore, I don't believe they could manage it any better. I think it's just wonderful the way it's currently being managed.

To think about turning this over to an organization like UNESCO – I remember an incident that we had down at Dinosaur provincial park where an oil company drilled a well just inside the park. If I remember right, it was 70 feet. That was an interesting one. It created a huge, huge incident. Because it's a UNESCO site, it got international play. Quite frankly, it was a stupid mistake that somebody made. If you look at the boundary of the park, it's right along the lip of the valley except for this one little place where there was a quarter section that came up maybe a hundred feet and then back over, just a little triangular area. Somehow the surveyors missed it. The well went in. They drilled. It started producing. Then somebody discovered that, well, really, it's on the edge of the park. It was one of those wells where there was no surface disturbance. The road that came into it: there was some disturbance there. They managed to reseed with the natural grass so that all you would see as you were coming up to it in a helicopter would be this little green strip. That's all you could see. But it was an international event, and that was all because it had been turned over to UNESCO.

5:40

I'm really pleased that we have this opportunity to nip this in the bud. There are areas like the one at Dinosaur provincial park.

There's access to the area. If you'd turned this over – there are some that are saying: well, it's a great thing to do because of tourism. Well, really, that means that you're going to have to have the access in there, and you're going to have a lot more people accessing the area. Of course, they're not satisfied with just leaving it in the wilderness state. There are a lot of things that happen if you have too many people going into an area.

I'm very pleased that we are going to pass this, I would hope unanimously, to send the right message out that this motion is a good motion and that we don't want to change it. Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Member for Calgary-Buffalo, followed by the hon. Member for Grande Prairie-Wapiti.

Mr. Hehr: Well, thank you, Mr. Speaker. It is indeed an honour to rise and speak to this motion, Motion 507, on the Willmore wilderness park. I'd like to thank the Member for West Yellowhead for bringing forward this legislation as it looks like good legislation for both the park and the people whom this act is meant to serve and to assist in their way of life. For instance, traditional land-use activities are an important way of life for the aboriginal communities in the Willmore area, and we should not be seeking limitations on these practices without good reason. We heard some of those good reasons brought up by the Solicitor General, that these forests and these areas do not live in isolation, that you don't just put up a fence or a brick wall, that these forests and wild areas don't prosper in that way. It takes interaction in the way they've always been used and have interaction with, I guess, other beings and other activities to make these wild areas flourish.

Now, the second component of that is that although we like to have these areas that have all this activity going on in them to sustain the health of the area, there's a tipping point when there is too much human interaction. That's why conservation organizations such as the Alberta Wilderness Association believe that consumptive activities like hunting and trapping are sustainable, but they have to be managed properly under the values of healthy wildlife populations and biodiversity. That's where this act and our protection of this park have to be co-ordinated with our Sustainable Resource Development department to monitor the effects of any activity in the Willmore wilderness park.

Like I said, I agree with this act. I agree on having healthy, active wild areas such as the Willmore wilderness park. They have to have some of these activities. We also have to monitor these as Alberta is 3.5 million people, heading for 5 million people. Lots of activities with industry are going on in that area and industry that should go on in that area, but with all that activity, with us doing some of these things, it needs continued monitoring and continuing enforcement. The boots-on-the-street analogy by my hon. colleague for Calgary-Varsity was very right. Without adequate enforcement these good things we do in this Legislature become meaningless.

On that note, I would encourage some of these things to be done through our land-use framework and through the development of our policies and practices through that framework and the various divisions that are laid out in there.

There are also some areas that are noted for improvement from those in the park itself. Willmore wilderness park needs an updated park management plan that addresses a number of concerns voiced by environmental and conservation groups. A draft plan was apparently prepared in 1980 but not finalized. Like I said, the government needs to move forward on the implementation of the land-use framework, and consultative mechanisms with aboriginal populations need to be renewed and strengthened in advance of any discussions about traditional land-use activities.

Nonetheless, despite these reservations and despite this advice, if I could call it that, to the government, I think this is a good step forward and will allow for sound forestry management and sound management of the Willmore wilderness park as well as allow for traditional usage by our aboriginal communities of many and much of the wilderness and streams and for trapping and the like.

Nevertheless, those are my comments. Thank you very much for allowing me to speak on the record on this very good motion.

Thank you, Mr. Speaker.

The Deputy Speaker: The hon. Member for Grande Prairie-Wapiti, followed by the hon. Member for Strathmore-Brooks.

Mr. Drysdale: Thank you, Mr. Speaker. I'm pleased and honoured today to speak to Motion 507. The purpose of Motion 507 is to ensure that the government of Alberta continues to recognize the Willmore Wilderness Park Act as it is. The Willmore Wilderness Park Act promotes the management and conservation of the resources within Willmore wilderness park and provides the legislative assurance of the traditional activities like outfitting, trapping, hunting, and fishing.

Activities like hunting and fishing are key elements of conservation. Hunters and fishers are true conservationists. By continuing to support their activities, as Motion 507 urges, the Willmore wilderness park will continue to be preserved for future generations. Albertans have exemplified their dedication to conservation, and as such Motion 507 promotes that Willmore wilderness park stay fully within Alberta jurisdiction. The Willmore Wilderness Park Act has proven effective in maintaining and sustaining Willmore wilderness park for the past 50 years and will continue to do so in the future.

Mr. Speaker, I've been going to this park since the 1960s as a boy with my dad on horseback trips, and I can attest to you that this park has been maintained and is in as good a state today as it was 40 years ago. In fact, I have pictures of the side of a mountain from a friend of my dad's from the 1930s, and looking at the same site last year, the site looks better today than it did then because back then it was burnt. The whole side of the mountain was burnt black and didn't look that great, but it looks good today, I can tell you. In fact, it's even harder to find the old trails. Like, there used to be trails from the natives and the hunters from years ago back there. Now you can't even find the trails on horseback. It's grown back into its natural state.

I suggest that we leave the park in the control of Albertans, as it is. It's beautiful back there in the mountains, the intersection mountain where the Alberta-B.C. border is and where it bends to go south. If you get up on that mountain, you can see a long ways, and you can see no sign of man or interference. I'd like to keep this for my children and my grandchildren.

I would like to thank my colleague the Member for West Yellowhead for bringing Motion 507 forward. I fully support it, and I encourage all members to support it.

Thank you.

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

5:50

Mr. Doerksen: Thank you, Mr. Speaker. It's also my privilege to rise today and speak in favour of Motion 507. I would like to also thank the Member for West Yellowhead for bringing this motion forward. I've listened with interest and intently to the presentations that have already been made this afternoon and certainly support the sentiment that has been expressed. I have to admit that I have not

actually been in the Willmore wilderness park but had the opportunity to visit it online to view some of the absolutely fabulous pictures that have been taken and put online with regard to Willmore.

While I haven't actually been to the park, I certainly support the principle that other members have brought forward here this afternoon. When you look at an area that's 46,000 square kilometres and it has been protected by local input and the dedication of local residents of that area for more than 50 years and hearing the other members who have talked about the way that this park has been preserved and protected by the existing Willmore Wilderness Park Act, I see no reason why we would want to further restrict activity that has gone on in that area for very many years.

I had the opportunity to go on the Willmore Wilderness Foundation website. The mission of that organization is to preserve the history of the area, focus on the advancement of education of the park, restore historical pack trails and sites, and enhance the use of the Willmore wilderness park for Albertans and visitors alike. That is a success story that I certainly want to support.

Again, the principle of not adding further restrictions when there is not a need to do that, I think, is something that we need to respect. I want to thank the Member for West Yellowhead for bringing that issue forward. It's one that he certainly knows well and has a great deal of experience with, and I appreciate his asking me to make some comments with regard to this this afternoon.

Mr. Speaker, I certainly support the intent of this motion and look forward to being able to support it. Thank you.

The Deputy Speaker: Do any other hon. members wish to speak on the motion?

Seeing none, the chair shall now call on the hon. Member for West Yellowhead to close the debate on Motion 507.

Mr. Campbell: Thank you, Mr. Speaker. Motion 507 may not be popular among certain environmentalists who have urged a greater global control over Alberta lands and especially the natural lands, but I can say that Motion 507 will instill confidence in Albertans who are concerned about the ramifications of transforming the Willmore wilderness park as a UNESCO world heritage site.

The Willmore Wilderness Park Act has proven effective in maintaining and sustaining our Willmore wilderness park. The Willmore wilderness act is an example of locals pursuing environmental sustainability in a way that maintains traditional land uses. Mr. Speaker, the Willmore wilderness act is popular among many of the locals in the Grande Cache area as well as many Albertans from all over this great province who participate in activities in the Willmore wilderness park.

I would ask all my colleagues to support this motion, and I would like to thank all of my colleagues who spoke today on behalf of it.

Thank you, Mr. Speaker.

[Motion Other than Government Motion 507 carried]

The Deputy Speaker: The Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; the Assembly adjourned at 5:54 p.m. to Tuesday at 1:30 p.m.]

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