



Province of Alberta

The 28th Legislature
Second Session

Alberta Hansard

Tuesday afternoon, May 6, 2014

Issue 25a

The Honourable Gene Zwozdesky, Speaker

Legislative Assembly of Alberta The 28th Legislature

Second Session

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Party standings:

Progressive Conservative: 58

Wildrose: 17

Alberta Liberal: 5

New Democrat: 4

Independent: 3

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Brown	Xiao
Calahasen	Young
Casey	

Legislative Assembly of Alberta

1:30 p.m.

Tuesday, May 6, 2014

[The Speaker in the chair]

Prayers

The Speaker: Hon. members, let us pray. Each day we are blessed with the presence of youth in this Assembly. In praying for the health and happiness of the youth who are with us today, we are also praying for our great province, for it is theirs to inherit. We also pray for the members of the Royal Canadian Legion, who have guided so many of our youth along the way. Godspeed and God bless. Amen.

Please be seated.

Introduction of Guests

The Speaker: Hon. members, let us begin with school groups. I have the Minister of Jobs, Skills, Training and Labour, who may have a group to introduce. If he does, I would ask him to rise now and introduce his guests.

Mr. Lukaszuk: Well, thank you, Mr. Speaker. Today with us is a group of students from Edmonton-Castle Downs, namely from St. Timothy school, that has been touring our Legislature. From what I understand – at least, that was their indication to me – they have truly enjoyed this tour and are going to learn from us today in question period. They are accompanied by their teacher, Mrs. Laura Bodnarek. I would ask all the St. Timothy students to rise and receive the warm welcome of this Assembly.

Thank you, Mr. Speaker.

The Speaker: Are there other school groups?

If not, let us move on with other important guests. Hon. Member for Leduc-Beaumont, I believe you have two groups to introduce.

Mr. Rogers: Yes, Mr. Speaker. It's my pleasure to introduce to you and through you to all members of the Assembly six members of the Royal Canadian Legion who are here today as chaperones in your Mr. Speaker's MLA for a Day program. The overarching aim of the program's activities is to further develop interest and understanding of our parliamentary system amongst Alberta's youth. The Royal Canadian Legion Alberta-Northwest Territories Command is commended for their support and cosponsorship of this program. Seated in your gallery today is Mrs. Audrey Ferguson, district commander, Alberta-Northwest Territories Command and our head chaperone for this year. She is accompanied by the student chaperones from the Alberta-Northwest Territories Command of the Royal Canadian Legion: Mr. Dave Basham, Mr. Barry Remanda, Mr. Bill Fecteau, Ms Lee Ann Leaburn, and Ms Judy Mindach. I would now ask that they all rise and receive the warm traditional welcome of this Assembly.

The Speaker: Welcome and thank you.

Hon. member, your second set of introductions.

Mr. Rogers: Well, thank you, Mr. Speaker. I'm also very pleased to introduce to you and through you to all members of the Assembly 76 students from 47 constituencies, including two from my own constituency of Leduc-Beaumont, who are here today as participants in Mr. Speaker's MLA for a Day program. The participants arrived yesterday for a presentation on the role of an MLA, enjoyed dinner at the Royal Canadian Legion, and

afterward took a tour of the Legislature. This morning they debated a resolution in the Assembly Chamber, which, I understand, was won by the opposition. They visited their members' offices, attended a session in the Chamber with you, and had lunch in the rotunda with their MLAs. Following Oral Question Period they will take part in a workshop on the electoral process. Our 76 shadow colleagues, tomorrow's leaders, are seated in the members' and the public galleries. I would ask that they rise and receive the warm traditional welcome of this Assembly.

The Speaker: Welcome and thank you to all our youth for being here and participating in MLA for a Day.

Let's move on to the Minister of International and Intergovernmental Relations, followed by the Minister of Culture.

Mr. Dallas: Well, thank you, Mr. Speaker. It's a pleasure to rise and introduce to you and through you to all members of the Assembly Margot Challborn, a ministerial intern in International and Intergovernmental Relations. Margot is a master of arts student in the department of political science at the University of Alberta. Margot completed her honours bachelor of arts in political science from Carleton University in Ottawa, Ontario. She plans to pursue a PhD and combine a career in teaching and public service. She's a wonderful addition to my office, and I ask her now to rise and receive the traditional warm welcome of this Assembly.

The Speaker: The hon. Minister of Culture, followed by St. Albert.

Mrs. Klimchuk: Thank you, Mr. Speaker. I'm pleased to rise today to introduce to you and through you to all members of the Assembly Ms Juliana Ho. Juliana has started in my office in the Alberta student ministerial internship program, and I'm so excited to have her join my team for the summer. She's bringing some wonderful experience, having completed her first year of law school at the University of Alberta, and she's also pursuing a master's degree in political science. I'd ask Juliana to please rise and receive the traditional warm welcome of the Assembly.

The Speaker: Thank you.

The hon. Member for St. Albert, followed by Calgary-Foothills.

Mr. Khan: Thank you so much, Mr. Speaker. I'm very, very proud today to introduce to you and through you to all members of the Assembly a remarkable young woman named Sydney Martin. Sydney has just completed her first year of education at the University of Alberta, and I have the privilege of having Sydney serve in my office in the constituency of St. Albert as the assistant to my constituency manager. Now, I've known Sydney since she was just a baby, and it's been remarkable to see her develop into the incredible, bright, intelligent, beautiful young woman that she is today. She is serving my constituency so very well. Sydney is sitting in the members' gallery, and I'd like her to rise and receive the warm traditional welcome of the Assembly.

Well, on that note, Mr. Speaker, this is a remarkably proud day for me because as other members have attested, there are some special young people here in the MLA for a Day program. One of those people is my son Mickey Khan. Mickey, I believe, is sitting in the members' gallery, if he can rise now. It has been an absolute thrill for me to introduce him to as many colleagues in the House as I possibly can. I've got about an inch in height on him and about a hundred pounds and very little else. He's a brilliant young man. I am so proud to call him my son, Mickey, I love you.

Thank you all for the very warm welcome.

The Speaker: The hon. Member for Calgary-Foothills, followed by Dunvegan-Central Peace-Notley.

Mr. Webber: Thank you, Mr. Speaker. I would like to introduce to you and through you to all members of the Assembly Alexandra Rabbite. Alexandra is a new addition to my LAO office, and she is a recent graduate of Mount Royal University in Calgary, with a degree in journalism. I was pleased to have her work in my constituency office over the past two years. She has graciously decided to move up to Edmonton to help me here in the Legislature. My only condition of employment up here is that she become a Calgary Flames hockey fan, and that could be difficult. Anyway, I'd ask that Alexandra please rise and accept the warm welcome of the Assembly.

The Speaker: The hon. Member for Dunvegan-Central Peace-Notley, followed by the Minister of Human Services.

Mr. Goudreau: Thank you, Mr. Speaker. It's my pleasure and honour to introduce to you and through you to all members of this Assembly two special visitors who work in my constituency of Dunvegan-Central Peace-Notley. They're in Edmonton to attend the land-use conference hosted by the University of Alberta, the Alberta Land Institute. Seated in the members' gallery are Ms Rhonda Clarke-Gauthier and Mr. Adam Norris. Amongst her many responsibilities Ms Clarke-Gauthier is the executive director of the Mighty Peace Watershed Alliance, and Mr. Norris is the coordinator of the Mighty Peace Watershed Alliance. He lives in the Grande Prairie-Smoky constituency. I would ask them to rise now and receive the warm traditional welcome of the Assembly.

1:40

The Speaker: The hon. Minister of Human Services.

Mr. Bhullar: Thank you very much, Mr. Speaker. It's a pleasure today to rise and introduce a great young man from Calgary who's had the opportunity to work in many different places around North America – and now the one box he had yet to check off was Edmonton and working in a minister's office – my summer intern, Mr. Sunny Kullar. Sunny, please rise and receive the warm welcome of the Assembly.

The Speaker: Hon. Associate Minister of International and Intergovernmental Relations, have your guests arrived yet? Not yet. Perhaps later.

Are there other introductions? The hon. Member for Chestermere-Rocky View.

Mr. McAllister: Mr. Speaker, thank you. I'm pleased today to rise and introduce to you and through you to members of the Legislature three courageous Albertans, and I would ask them to stand as I introduce them. First, Dr. Nhung Tran-Davies is a mother and family doctor from Calmar, Alberta. Dr. Tran-Davies immigrated to Canada at the age of five from Saigon, a refugee of the Vietnam War. Her father was killed; her mother raised six children. I'm pretty sure her dad would be mighty proud of how she has turned out. You see, Dr. Tran-Davies has the courage to stand for something and to stand up against something. She started a petition, that we'll table later in the House, calling for the government to go back to basics in math education and make mastering the fundamentals the primary goal. She may have started the fight by herself, but she's not alone. With her today in the gallery – I would ask them to rise – are Jerry Manegre and also Sharon Maclise, two members of Dr. Nhung's army of supporters, all fighting for our kids. I would let the government know that

they are not going anywhere, nor are we. Could we please give them the traditional welcome of this Assembly?

The Speaker: Thank you.

Members' Statements

The Speaker: Hon. members, we have two minutes per member for this part of our program. Let's start with Bonnyville-Cold Lake and then Rimbey-Rocky Mountain House-Sundre.

Task Force for Teaching Excellence Report

Mrs. Leskiw: Thank you, Mr. Speaker. The world is changing at an unprecedented rate, and work is being done to ensure that education in Alberta and our students will keep pace. Teachers are one of the best resources for securing a bright future for our children. With this in mind, Alberta Education formed the Task Force for Teaching Excellence in the fall of 2013. The task force was given one goal, to ensure that for every child in every classroom there is an excellent teacher. As a parent and a former teacher of 36 years this is an issue that is near and dear to my heart.

I was pleased to attend the Task Force for Teaching Excellence Symposium yesterday, where the task force released a report containing 25 specific recommendations that explore new ways to support educators and ensure that every student benefits from an excellent teacher. The task force placed a high priority on consulting Albertans, including parents, students, teachers, and other stakeholders, and considered this feedback when deciding upon their recommendations. I understand that our hon. Minister of Education will now take time to reflect upon this report and conduct additional consultation before making a decision on these recommendations.

As outlined in the vision of Inspiring Education, we want our students to become engaged thinkers, ethical citizens, and entrepreneurial spirits. Teachers are a vital part of achieving that vision. Our government is working to ensure that our teachers remain among the world's best by being well supported, well trained, and well motivated.

I would like to thank everyone who participated in the work done by the Task Force for Teaching Excellence, from the task force members themselves to the thousands of Albertans who participated in their consultation process.

I hope that many Albertans will take the time to review the report, which has been posted on the Alberta Education website, and I look forward to . . .

The Speaker: Thank you.

The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-Manning.

AltaLink

Mr. Anglin: Thank you, Mr. Speaker. Alberta taxpayers are about to give billions of dollars to a private company by handing over Alberta's golden goose to one of wealthiest men in the world, and there's little Albertans can do about it. The current PC government set up the rules so that private companies can use public dollars free of charge.

SNC-Lavalin recently announced that they would be selling the golden goose known as AltaLink to Warren Buffett's Berkshire Hathaway. Mr. Buffett is one of the world's wealthiest men. In simple terms, AltaLink started as an \$850 million company. Because they are a regulated monopoly, Albertans guarantee

AltaLink an annual income of approximately 9 per cent. The public by law must pay for all of AltaLink's capital improvements. It is truly a corporate golden goose. Over the last 10 years Alberta ratepayers paid 100 per cent, billions, for new towers, poles, wires, and cables. This public investment increased AltaLink's value to \$3.2 billion. You do the math, Mr. Speaker. The sale of AltaLink to Warren Buffett's Berkshire Hathaway is nothing more than a publicly funded subsidy that SNC-Lavalin reaped to the tune of a \$2.35 billion profit.

What do Albertans get for their investment? The Fraser Institute just published a report yesterday confirming that Albertans pay some of the highest costs for electricity in North America. It's no wonder Mr. Buffett is considered one of the shrewdest investors in the world. This newly purchased golden goose has a guaranteed income of 9 per cent, and the public will pay 100 per cent to increase his investment to as much as \$9 billion or \$12 billion over the next four years. Mr. Buffett will truly enjoy his PC-created golden goose at every dinner, but it's the ratepayers of Alberta that got plucked.

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

Mental Health Services

Mr. Sandhu: Thank you, Mr. Speaker. This week is Mental Health Week, and we as Albertans are challenged to take care of our mental health. My constituents in Edmonton-Manning and I have serious concerns about the state of the mental health system. Through personal experience within the community I can speak personally regarding the deaths of five adults. Two weeks ago I attended the funeral of a 28-year-old man who committed suicide. He was ready to get married this summer in June. Had his parents tried to get help for him, they may have been unsuccessful as he was over 18. This young man may have been saved.

Our current mental health system prohibits guardians of adults with mental health issues from obtaining help for those people. Adults over 18, regardless of their state of mind, are required to come forward and ask for help themselves. Therefore, neither parents nor spouses have a way to assist them. Some of these young people commit suicide or harm others as they find it difficult to live in society.

A tragic example involves a good friend of mine who was a heavy-duty mechanic and later on became a taxi driver. He was a very happy and loving man who would give anything to help others. One evening in his cab he was beaten up. His injuries were so bad that he is now fully handicapped. The person who carried out the attack had been released from Alberta Hospital and ended up killing his sister-in-law the same night.

Mr. Speaker, I know this is an issue that many other MLAs are aware of. We can start by asking how we can make changes to support the families who look after loved ones with mental health needs.

Thank you, Mr. Speaker.

The Speaker: We have time to start one more. Hon. leader of the ND opposition, I understand you have a member's statement as well.

Government Policies

Mr. Mason: Thank you very much, Mr. Speaker. Ever since the 2012 election this PC government has attacked public employees, and it seems they want to blame it all on the former Premier, the Member for Calgary-Elbow. Now that they're so far down in the polls that they can't see up, they're trying to make nice, but

they're backtracking on policies they spent months defending. One look at this PC government's record proves that while they may be trying to make nice now, it will not last.

First, the Minister of Justice and the former Deputy Premier mishandled complaints from correctional officers about workplace safety. Then when mishandled complaints boiled over into a wildcat strike, the government negotiated a return to work in exchange for a promise not to retaliate. They broke that promise. But the government didn't just retaliate against the correctional officers; they retaliated against all Alberta public-sector workers with bills 45 and 46. Bill 45 was an unprecedented attack on freedom of speech. Bill 46 short-circuited the arbitration process. We have the current Premier to thank for those two bills.

1:50

Not to be outdone, the Minister of Finance launched his own attack on Alberta public-sector pensions. While the government has put these changes on hold now, they'll continue to loom over the province while the PC Party chooses a new leader.

Then yesterday, just as the PCs were backtracking on that, the Education minister picked a fight with our teachers. Instead of focusing on reducing class sizes and shoring up our crumbling infrastructure, the minister's task force is suggesting that the real problem in our schools is that we don't have enough supervision over teachers, and they want to take away the right of teachers as a profession to police themselves.

All in all, Mr. Speaker, this PC government's agenda amounts to an attack on the people who teach our kids, who keep us healthy, and who build our province. They just can't blame it all on the previous Premier. A new leader won't fix it. It's just what Conservatives do.

Oral Question Period

The Speaker: Hon. members, you're reminded: 35 seconds maximum for each question, 35 seconds maximum for each answer.

Let's start with the Leader of Her Majesty's Loyal Opposition. First main set of questions.

Electricity Prices

Ms Smith: Thank you. Mr. Speaker, we have more issues the government needs to apologize for today. Every Albertan who opens a power bill has reason to be sorry that this government was re-elected. A Fraser Institute report shows that out of 119 North American cities Edmonton pays the second-highest power rates and Calgary pays the seventh-highest. Somehow in a province where we basically give our coal away to generators and where natural gas prices are close to historic lows, we have some of the highest power prices in North America. Will the Premier apologize to Albertans for messing up the electricity system and harming our economy?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Well, thank you, Mr. Speaker. What the report fails to lay out are the legacy costs and the debt that those other jurisdictions have. We do not have subsidies in our electricity system here, and when you factor out the debt and the cheap hydroelectricity that some of the other provinces have and take advantage of, our prices are very competitive in this province.

Ms Smith: I think I heard the Energy minister say that debt is bad. Mr. Speaker, the Fraser Institute report shows that only in Honolulu does it cost more for electricity than in Edmonton, and if

you look outside, you'll see that it isn't Hawaii out there. High electricity prices impact the ability of our economy to attract new business. Having the most expensive electricity harms Albertans. Will the Premier apologize for the string of failed Energy ministers who have done nothing to address our broken electricity system?

The Speaker: The hon. minister.

Mrs. McQueen: Well, thank you, Mr. Speaker. In fact, if you look at how many people are moving to this province every single year because we have competitive taxes, we have a great economy, this is the place where people are coming to invest. Alberta is a great place to invest in and to live.

Ms Smith: That's what we want to make sure we retain, but we won't if we have these kinds of high power prices.

Yesterday we pointed out that the government's poor decisions will see one transmission company realize a \$2.4 billion capital gain in just 12 years. The Energy minister dismissed our concerns and told us that she is "making sure the prices are affordable." Well, today we learned that our power prices are among the highest on the continent. Will the Premier actually do something about this, or will he and his government just continue to pretend that nothing is wrong?

Mr. Hancock: Mr. Speaker, what we've seen is the ultimate conversion. Now we have the Wildrose Party pretending to be the NDP. The fact of the matter is that this is a good place to do business, and some businesses make a profit, but what we are making sure of is that Alberta consumers have the electricity they need when they need it at a reasonable and affordable price. That is part of the economy that's created because of strong government policies. That's the kind of economy that's created the quality of life in this province, the quality of life that attracts those hundred thousand people every year that the hon. Minister of Energy was talking about.

The Speaker: Second main set of questions.

Ms Smith: Well, we all know the Member for Edmonton-Highlands-Norwood is our sensei, so it wouldn't be surprising that we have some areas of agreement.

Family Care Clinics

Ms Smith: When family care clinics were announced during the last election, Albertans were told that they were the solution to the primary health care crunch. They were such a great new idea that we'd get 140 of them. We weren't convinced, and we've been asking the government how they can possibly build all of these family care clinics without duplicating the work of the primary care networks. It turns out they can't, so we won't get 140 of them. Will the Premier apologize to Albertans for wasting their time and their money on this poorly thought out scheme?

Mr. Hancock: Mr. Speaker, what this government is proud to do is to look thoroughly at how we can achieve the outcomes that Albertans want, and those outcomes in primary care are health care professionals working together to support Albertans' desires to be healthy. That keeps Albertans out of the acute-care system. That helps them manage their chronic conditions. That helps them with the supports that they need to take responsibility for their own health. That is a good thing. That can be accomplished working through primary care networks. It can be accomplished

working through family care clinics. The important part is the outcome for Albertans, and that's what we're achieving.

Ms Smith: Mr. Speaker, the Premier can pretend this isn't a full retreat on family care clinics, but it is.

Even in her resignation speech six weeks ago the Premier committed to 80 family care clinics. The Health minister was talking about 24 clinics not that long ago. Now it's only nine. But these clinics have been a failure. In Slave Lake the pilot project there has dramatically reduced the number of doctors that serve that community. Will the Premier apologize and order the Health minister to stop this bad idea?

Mr. Horne: Well, Mr. Speaker, the hon. Leader of the Opposition can continue her preoccupation with numbers and talk about institutions and providers. [interjections] What we will do is exactly what the Premier said. We will continue to focus on opening the front door of the health care system by investing in primary health care, by using the financial resources that we have to deliver services to Albertans right now. If she wants to continue with her academic debate, she's more than welcome to it. This government has delivered for Albertans.

The Speaker: Hon. members, before this goes any further, let's just keep the noise down to a dull roar so that members can hear. I'm getting signals that people are having trouble hearing each other, so let's pay them some respect as well.

Second supplemental.

Ms Smith: Well, Mr. Speaker, it's becoming obvious that they on the other side don't use numbers when they're trying to figure out policy, but I think they should start.

This government needs to give up on family care clinics and put its energy into improving and expanding primary care networks. This Premier should admit that family care clinics were nothing but an election stunt created by the Premier's campaign advisers, the same people, incidentally, who just might be the next Premier's campaign advisers. Will the Premier apologize for playing politics with our health care?

Mr. Hancock: Mr. Speaker, what I would say is that that hon. member is so delighted with the work that I am doing that she sent me a free membership card, and I had to return it today. [interjections] I had to send it back because I don't want to be a part of their party, whether it's free or not.

In fact, we are actually doing the work for Albertans that Albertans want to have done. We're working on primary care in a way in which every Albertan can have access to a primary care network, access to a doctor and a suite of health care professionals to help them in their time of need. That's what's good for Albertans. That's what Albertans want, so that's what we're delivering.

The Speaker: Okay. So we've had one outburst on the opposition side. We've had one on the government side. We're even.

Let's leave it there and move on, please, to the third main set of questions.

Disaster Recovery Program Administration

Ms Smith: Mr. Speaker, no Albertans deserve a more complete apology than those who have been completely let down by the government's handling of the disaster recovery program. The last Premier promised that everyone hit by the flood would be looked after. Well, the only people completely looked after have been this

government's friends who landed sole-source contracts to spin the flood, to mismanage the DRP program, and to not repair people's homes. Will the Premier admit that these parts of the disaster recovery effort have been horribly mismanaged, and will he apologize to Albertans?

The Speaker: The hon. minister responsible for Municipal Affairs.

Mr. Weadick: Well, thank you, Mr. Speaker. It's a pleasure to rise today and talk about the good work we've done through the disaster relief program here in Alberta, how we've managed to deal with 90 per cent of 10,000 homes impacted, how we're working our way through small-business claims and trying to allow these people to get their businesses back on track. We care about these people. We don't politicize it. We're not trying to take advantage. We're simply trying to help, and we'll continue to do that.

Ms Smith: Not the case, Mr. Speaker. All over southern Alberta residents have been revictimized by the disaster recovery program. While one government MLA was studying flood mitigation in Palm Springs, homeowners in Britannia, Roxboro, Bowness, Exshaw, Bragg Creek, Redwood Meadows, Medicine Hat, the MD of Foothills, High River, and many other places were mistreated by the disaster recovery program. Thursday night I'll hold a town hall in Calgary-Elbow for these residents. When can they expect some help from the new disaster recovery program, or is there going to be another apology coming for the mess of that one, too?

2:00

The Speaker: The hon. associate minister responsible.

Mr. Weadick: Well, thank you, Mr. Speaker. I appreciate the member opposite naming some of those communities that we are working in and supporting citizens in Alberta. We have families and homes in each of those communities that have been rebuilt. We also continue to work with some people that are trying to make those tough decisions about how they rebuild, where they move forward from here. These are not easy times. We have almost 500 small-business files stuck in tax hold while they work through their tax issues. These are not simple answers. Others would like to try to make it look that way. We're here to help the people, not just to talk about it.

Ms Smith: Mr. Speaker, paying LandLink \$18 million in fees to process \$49 million worth of payments is not a success.

The environment minister recently declared, however, that we didn't make any mistakes last year in handling the flood. Albertans know better, and some even laughed out loud when they heard that the minister had said that. Maybe this line was given to him by Navigator, friends of Premiers past and future, who got lucrative sole-source contracts to supplement the spin efforts of the government's 200-odd communications staffers. Doesn't the Premier think he should at least apologize for that?

The Speaker: The hon. associate minister.

Mr. Weadick: Thank you, Mr. Speaker. I'd actually like to take this opportunity to thank LandLink for the work that they have done with us over the past year. This was a very small group that was not prepared for the largest flood that's ever happened, and they pulled together groups of people, tried to train them, and tried to help us.

The upside on this also is that the costs for LandLink are fully DRPable, Mr. Speaker. This does not cost the taxpayers of Alberta because it is a DRP cost. They're delivering on the ground as best they can in a very huge and unexpected situation.

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

Government Communications

Dr. Sherman: Thank you, Mr. Speaker. The current Premier has been around for many years, and he's been minister of almost every portfolio, many with problems. Until late last year he was Minister of Human Services. During his tenure he fought tooth and nail to avoid releasing the true number of children who died in government care. He insists that only 59 children died, but when the current minister took over, we learned the true number was a shocking 741, about one child dying every week in government care. To the Premier and former Minister of Human Services: why didn't you come clean about these tragic deaths when you had the chance, when you were minister?

Mr. Hancock: Mr. Speaker, very little of what the hon. member just said is true. In fact, we did make public the numbers of the children who died in care. The large number that he's talking about is the number of children who in some way were at some time associated with the system. That's still tragic. That's still something that we need to be concerned about. We didn't fight tooth and nail to hide those numbers. We published those numbers. We didn't fight tooth and nail to avoid giving information to the *Journal*. In fact, there was a process that they went through, the Privacy Commissioner process: asked for release, asked for interpretation. It took a little time. There was no court fight. There was no fight at all.

Dr. Sherman: Premier, stop spinning. That minister came clean; you didn't.

When the truth about deaths of children in care finally came out, this government went into damage control. An Alberta Liberal FOIP shows – yep, you guessed it – that Navigator Ltd., a who's who of Tory land, the folks that this Premier says have a unique talent, got an untendered \$25,000 contract to write some news releases and organize a round-table. This is the same gentleman who has a unique talent for winning PC campaigns. To the Premier. You've got a well-financed Public Affairs Bureau. Why do you need to get these Tory insiders to repair your government's reputational challenges every time?

The Speaker: The hon. Minister of Human Services.

Mr. Bhullar: Thank you very much, Mr. Speaker. It took me about 27 days to fundamentally shift the ways in which this government shares information about children in the child intervention system. I did that through the Christmas period with my staff, without a press secretary, and, yes, with some outside help. The end result: we have a more transparent, more accountable system, that I promise we are going to work every single day to make better.

The Speaker: Final supplemental.

Dr. Sherman: Thank you, Mr. Speaker. It sure looks like this government is constantly funneling public money to political operatives: sole-source, untendered contracts. Let's review. The only declared PC leadership candidate has deep ties to Navigator's

managing principal, Randy Dawson. Also, a couple of cabinet ministers, including one of them across the way, were quick to express support for another leadership candidate. So there's a good chance that we're going to see Navigator again at a leadership race or an election near you. Premier, don't you see that this is improper? When will you put a stop to giving public taxpayer money to political operatives in Tory land?

Mr. Hancock: Well, Mr. Speaker, that's a totally unfair and inappropriate characterization. The government does have a policy with respect to sole sourcing. You sole source when it's an urgent matter that needs specific talent or when there's a specific talent that you need that someone else doesn't have the same ability to deliver. Those are the two criteria under which contracts can be sole sourced. I expect that every member of government would adhere to those criteria and that if a contract is sole sourced, it's not a question of whether they're your friends or not; it's a question of whether the matter is urgent or whether there's a unique talent.

The Speaker: The hon. leader of the New Democrat opposition.

Electricity System

Mr. Mason: Thank you very much, Mr. Speaker. Last week we learned that Warren Buffett intends to purchase AltaLink, which operates about 85 per cent of the transmission lines in Alberta. Electricity transmission has become a lucrative business in Alberta thanks to this PC government's deregulation agenda. Mr. Buffett stands to double or triple his investment, and that will all be paid for by Alberta electricity consumers. My question is to the Premier. Will he stop this profiteering at the expense of Albertans and block the sale of AltaLink?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Thank you, Mr. Speaker. We encourage development in this province, and there's a strong regulatory process in place. We have the federal process, and we have the regulator process. What's important is that the regulator makes sure that the costs for Albertans are fair, and if Albertans want to have input, if it's a public hearing, they'll have the opportunity to go before the regulator to be able to bring their concerns forward.

The Speaker: First supplemental.

Mr. Mason: Thanks very much, Mr. Speaker. Well, it's hard-working Albertans who've been paying for AltaLink's success, not corporate bigwigs. Each month Albertans pay transmission fees, that are set by the AUC in order to guarantee a rate of return for their corporate friends. Between 2011 and 2015 the transmission fees paid by Albertans will have doubled. Even the Fraser Institute, a Wildrose think tank, says that power prices in Alberta are too high. To the Premier: why don't you do your job and represent the interests of Albertans instead of corporate power prices, that are just going to bankrupt Albertans?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Thank you, Mr. Speaker. Every day this government represents the interests of Albertans. We are making sure that as this province continues to grow, we have transmission and generation for Albertans to be able to turn on the lights. It is affordable in this province when you take out the hydro, when you take out the fact that there's not the debt. Alberta is very competitive, and that's why companies and people continue to

come in droves to Alberta, because it's a great place to live, work, and raise our families.

Mr. Mason: Well, you know, I wish this Energy minister would spare us the rhetoric and the message boxes and actually talk turkey about what's going on in this province.

AltaLink could be worth \$9 billion to \$12 billion, up to four times more than what the deal is for, Mr. Speaker, as soon as they hook up the additional electricity lines. That's an unearned profit by Mr. Buffett that's going to come at the expense of electricity consumers. To the Premier, since we get nothing but rhetoric from the Energy minister: will your government block this windfall deal for one of the wealthiest men in the world and stop the gouging of Albertans by corporate highwaymen?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Thank you, Mr. Speaker. As I've said, it's got a regulatory process for any of the transmission or generation, and all costs, down to the penny, must be justified by the companies to the AUC. The AUC won't allow companies to pad their pockets out of the expenses of Alberta ratepayers. They make sure of that. That's why it's an independent, arm's-length regulator.

The Speaker: Thank you.

It's just getting difficult to hear, folks. Please, let's just nail this down to a dull roar if we could. We won't eliminate the noise totally – I know that – but let's be respectful of the questions and the answers.

Let's go to Fort McMurray-Wood Buffalo. No preambles from here on, please.

In Vitro Fertilization Funding

Mr. Allen: Thank you, Mr. Speaker. One out of every 6 to 8 couples in this province will experience infertility. Fortunately, we have fertility clinics in Alberta. However, fertility clinics or services are costly and not funded by the provincial government. As a result, many couples choose to implant several embryos at one time in hopes of increasing their chances for a successful pregnancy. In many cases this can lead to significant costs and additional burdens on our health care system due to complications arising from multiple births. To the Minister of Health: why is the cost of treating subfertility with in vitro fertilization borne largely by patients rather than Alberta Health?

The Speaker: The hon. Minister of Health.

2:10

Mr. Horne: Well, thank you very much, Mr. Speaker. I'm not sure if the hon. member heard, but we actually had a question on this very topic yesterday, and I did answer the question, and I did explain. It was a very thorough question, if I may say so. I did explain to the hon. member yesterday, as I will explain today, that we are actually studying IVF under the Alberta health technologies decision-making process.

Mr. Speaker, this service is available in only two provinces in the country. There are many questions to be answered, but we are aware of the need of Albertans.

The Speaker: Thank you.

First supplemental.

Mr. Allen: Thank you. To the same minister: given that the University of Alberta produced a white paper in 2001 outlining the real costs and issues arising out of IVF and its lack of funding,

what key elements would have to change to allow IVF to become a funded benefit?

Mr. Horne: Well, Mr. Speaker, as I said, again in answer to a very similar question yesterday, this is not a question of costs. This is a question of evaluating what is a very complicated technology, and if we were to fund it as part of the Alberta health care insurance plan, there are a number of ethical questions that would have to be answered as well. Those include the age at which a woman would be eligible to receive the treatment and the number of trials that would be permitted under the insured service. There are a number of questions that are not simple and that we will take the appropriate time to evaluate.

The Speaker: Final supplemental.

Mr. Allen: Thank you. Again to the same minister. Studies have suggested that to have a healthy child, some infertile couples may accept a 20 per cent risk of death and give up to 29 per cent of their income. Legislation mandates access to medically necessary services without financial barriers. Will the minister review the definition of medical necessity and consider inclusion of IVF?

Mr. Horne: Well, Mr. Speaker, the concept and definition of medically necessary services are set out, actually, by the Canada Health Act. It is a very simple and, some might argue, an outdated definition. It refers only to the provision of physician and hospital and some oral-dental services, but the question that we should all be asking is on how best to serve the needs of couples who face infertility in our society. We are looking, as I said, at the experience of Quebec and, more recently, Ontario. There are a number of complex questions to be answered, and we will have some results from that review in due course.

Educational System Reform

Mr. McAllister: Mr. Speaker, when it comes to public education in Alberta, this government is showing profound disrespect. It is ignoring parents and their concerns over declining math scores in their call to focus on the fundamentals, it is ignoring the advice of academic experts on the content that should be the primary focus, and yesterday the government doubled down on Inspiring Ed, using the Task Force for Teaching Excellence to threaten teachers, the minister giving himself the power to blacklist teachers if they don't teach the fuzzy math, the discovery approach, that they so like. When will the Minister of Education start listening to real Albertans?

Mr. Hancock: Mr. Speaker, that preamble is so wrong as to be offensive. That is not what the Minister of Education did yesterday. In fact, excellence in teaching is fundamental to an excellent education system. We have an excellent education system; ergo, we have excellent teaching. But we have to look to the future and continue to find ways to ensure that in every classroom for every child there is an excellent teacher as we go forward. That's what the Task Force for Teaching Excellence was about. That's not government policy. It's recommendations from a task force of experts that were asked to look into it. They've looked into it, they've reported, and there will be opportunity to discuss those recommendations.

Mr. McAllister: Looking to the future does not mean forgetting the past, Mr. Speaker.

Dr. Nhung Tran-Davies is here today. She has repeatedly asked for and been denied a meeting with the Minister of Education.

Given that last week the Premier apologized for not listening to Albertans – he apologized for taking them for granted – I ask the Minister of Education: will you turn the page, then? Given all the work that Dr. Nhung Tran-Davies has done and all the support she has from grassroots Albertans, I will bring her to your office after the business of the day. Do you care to meet with her, Minister?

Mrs. McQueen: Mr. Speaker, I would like the House and that hon. member to know that I had the opportunity to meet with Dr. Tran-Davies in my constituency office last week, and the question that she asked me was: would I be able to arrange a meeting for her with the minister? Right away the minister said: absolutely. So I look forward to seeing Dr. Tran-Davies' meeting with the minister when he is back.

Mr. McAllister: How many times do you have to be hit over the head before something finally sinks in?

To the Premier. Given that you said, "I apologize for losing touch with our grassroots, for not listening . . . the way that we should have; this behaviour is . . . not acceptable," are you prepared to listen to the doctor and 14,000-plus Albertans, or is it going to take a new Premier and a new Minister of Education to take on the file?

Mr. Hancock: Well, Mr. Speaker, one of the things the hon. member should know is that there's a significant difference between learning from the past and living in the past. I would suppose that the hon. member is an expert at the latter and wants to continue to do so.

The Minister of Education is listening to Albertans. He's had the Task Force for Teaching Excellence; it's been out listening to Albertans. There's a curriculum development process that is listening to Albertans. In fact, that's what this government does every day.

Temporary Foreign Worker Program

Mrs. Jablonski: Just like a number of members who have already raised this issue in the House, I've heard from many of my business leaders and members of the Red Deer Chamber of Commerce about their urgent concerns with the temporary foreign worker program. You've heard it before, but I'll say it again. Alberta has a unique labour market in comparison to the rest of Canada. I don't understand why the federal government thinks that one size fits all. This is an urgent matter. I've had small-business owners tell me that without the temporary foreign workers, they may have to shut their business down. To the Minister of Jobs, Skills, Training and Labour: does the federal government know that there is a labour shortage in Alberta, and what exactly are you doing to raise these urgent concerns with the federal minister?

Mr. Lukaszuk: Well, Mr. Speaker, it's very difficult to tell what the federal government does or doesn't know on this particular file, but I can tell you what we know. We do indeed know that there are sectors of this industry that are doing whatever they can in their capacity to attract and retain Canadians and, despite that, they are facing labour shortages and, as a result of that, are relying on TFWs. We also know that the TFW program was imperfect, was lending itself to abuse. We also know that if someone abuses the program, you should be dealing with the abusers and not the entire industry.

Mrs. Jablonski: To the same minister. Knowing that the temporary foreign worker program has some serious flaws, did the

federal minister consult with you, and will you ask the federal minister if they will consider redesigning the program so that it can be a permanent foreign worker plan?

Mr. Lukaszuk: Mr. Speaker, I have to report to this Chamber that the minister has neither consulted nor communicated his decision to this government or to, I believe, any of our colleagues, counterparts, in the other provinces. I can advise the hon. Member for Red Deer-North – and I know that she’s a great advocate because she cosponsored a meeting with the Chamber of Commerce in Red Deer – that I have participated in a teleconference with all of my counterparts from coast to coast to coast, and we are all in agreement that the TFW program is now our number one Canadian priority, and it will be discussed at the upcoming federal-provincial-territorial meeting.

Mrs. Jablonski: Minister, you’ve already mentioned that there’s been abuse and exploitation of the program. What can Alberta do to help ensure that abuse and exploitation of the program will not happen?

Mr. Lukaszuk: Mr. Speaker, the Alberta government is more than willing to assist the federal government in this endeavour. We do agree with the federal government that all jobs in Canada are for Canadians first. We all have respect for employment standards departments throughout the country, who are willing to work with the government in not only reviewing the program, implementing an improved version of this program, but also making sure that we bring in compliance measures and assist the federal government in enforcing those compliance measures in individual provinces.

Continuity of Care for Children at Risk

Mrs. Towle: Yesterday the shocking report into the death of two-week-old Baby Annie was released. During her pregnancy Baby Annie’s mom was prescribed nearly 5,000 pills by 11 different doctors. The primary doctor was apparently unaware of her pregnancy and her obstetrician was initially unaware of her drug abuse. When the obstetrician finally discovered the prescription, she left a message for her primary doctor, a message that was never returned. The Health Quality Council report into the death of Greg Price identified these same types of breakdowns. To the Minister of Health: when can we expect a real plan to ensure that the similarities around the deaths of Baby Annie and Greg Price . . .

The Speaker: Thank you.

2:20

Mr. Horne: Well, Mr. Speaker, this would be my first opportunity to express my sympathy to the family for this very tragic death. I actually say that in this sense I agree with the hon. member in that she draws the correct analogy between the issues related to the prescribing and dispensing of drugs in this case and some of the issues that were raised in the continuity of care report prepared by the Health Quality Council. The fact is that health professions in this province have a responsibility, and they are regulated to share information. They are obliged to share information when treating the same patient. There was obviously a very serious breakdown in this case.

Mrs. Towle: Given that in 2011 an expert panel reviewing the death of another young child in government care called on Alberta Health Services and child services to collaborate on issues of at-

risk children and given that yesterday’s report into the death of Baby Annie says, “The Ministry of Human Services has indicated that this recommendation has been accepted and completed. However, this approach was not evident in Annie’s case” – and clearly the minister agrees – can someone in the government explain to the House whether or not that recommendation has actually been implemented, and if it has, why the heck has it not actually been followed?

The Speaker: The hon. Minister of Human Services.

Mr. Bhullar: Thank you, Mr. Speaker. First of all, I’d like to say that one of the things that I’m looking to do with the passage of Bill 11 is ensure that all recommendations are tracked, the response from government is reported, and then the Health Quality Council will ensure that the recommendations and the actions are actually followed up on. That’s a change I am looking to make with the passage of this bill.

Further, in 2012 the AVIRT teams in Calgary and Edmonton were established, which are multidisciplinary teams between justice, health, and children’s services, to work with high-needs infants.

The Speaker: Thank you.

Mrs. Towle: Sadly, those recommendations were three years ago.

Given that Human Services and Alberta Health are two massive ministries and that three years ago another death of a child in care report tasked the ministries to work together in cases of at-risk children and given that three years later the Child and Youth Advocate has indicated that these past recommendations continue to be ignored, Ministers, clearly there’s a problem. How can you tell Albertans that all recommendations are being followed or have been implemented when there’s a 14-day-old baby who just finished dying and we still have not had your ministries figure this out?

Mr. Horne: Well, Mr. Speaker, I’d like to really caution this hon. member in making generalizations about this case or any other. The fact is that my ministry works very closely with the Ministry of Human Services in a number of areas that pertain to children at risk. But in the final analysis there can be no excuse for the failure of health care providers to exercise appropriate oversight over the prescribing and dispensing of medication, nor can they ignore the responsibility to share information about common patients to ensure that these sorts of situations are identified and acted upon before these sorts of tragic circumstances occur.

The Speaker: Thank you.

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

Support for Vulnerable Albertans

Dr. Swann: Thank you very much, Mr. Speaker. Alberta’s Social Policy Framework touts commitment to ensuring, quote, resources for success and well-being, end quote, yet children and vulnerable Albertans on meagre assistance in this high-cost province have no annual cost-of-living increase, are undermined by clawbacks of earned assets, and even social housing applicants are excluded if their pension fund exceeds \$7,000. To the minister: do you not recognize that a registered disability pension plan or education savings plans clawback at \$7,000 for people needing social

housing is mean-spirited and contrary to your own policy framework?

The Speaker: Thank you.

Mr. Bhullar: Mr. Speaker, the member actually brings up a good point. This is something that I've had some discussions on very recently with members of the poverty action groups across Alberta, particularly in Calgary, and this is something that I've committed to them, that I will start to evaluate and see if there are some specific areas here that require some adjustments.

The Speaker: First supplemental.

Dr. Swann: Thank you, Mr. Speaker. Well, when will the minister index the meagre income received under AISH and Alberta Works for our most vulnerable Albertans, including children, and genuinely give them a hand up?

The Speaker: The hon. minister.

Mr. Bhullar: Thank you, Mr. Speaker. Well, our AISH payments are, in fact, the highest in the country. They went up over \$400 recently. In addition, individuals are able to apply for and receive various other mechanisms for assistance as well. In Alberta when people need a hand up, when they need some assistance, it's there for them.

Dr. Swann: So I guess the cost-of-living increase is only reserved for members of the Legislature.

How can this minister argue that \$933 a month for a single mother and child – \$933 a month for a single mother and child – builds capacity for success and well-being?

Mr. Bhullar: Mr. Speaker, I didn't know the member opposite was receiving wage increases every year. We aren't, and it's better that way.

Regardless, Mr. Speaker, the point is that there's a variety of different systems and tools and programs in place to support vulnerable Albertans, and they'll be there in a balanced way to ensure that people are protected when they need it.

The Speaker: Thank you.

The hon. Member for Edmonton-Calder, followed by Rimbey-Rocky Mountain House-Sundre.

Primary Health Care Delivery

Mr. Eggen: Thank you, Mr. Speaker. Broken promises and wasting time and money. This PC government was elected on a plan to build 140 family care clinics, but last week the Minister of Health admitted that only 8 per cent of that promise will be fulfilled. Albertans don't want excuses; they want results. Will the Minister of Health please explain why he spent two years pumping out empty rhetoric about family care clinics? Was this just another cheap trick to get elected?

Mr. Horne: Mr. Speaker, what we did last week at an important announcement, that the hon. member was only too happy to attend, was unveil a very comprehensive primary health care strategy for Alberta that talked about the role of both family care clinics and primary care networks in delivering primary health care services to Albertans. That announcement included an additional \$79 million investment as part of Budget 2014 to support services like same-day and next-day access to health care services for citizens of this province.

Mr. Eggen: Well, Mr. Speaker, given that instead of delivering on these promised family care clinics, this government doubled down on primary care networks, to the Minister of Health: why did you abandon the publicly owned family care model, which is a very, very good model, by the way, and hand it over to a private consortium of doctors?

Mr. Horne: Well, I'm not sure I understand the question. It sounded at the beginning like the hon. member was expressing preference for a family care clinic model over a primary care network. Whatever he may have been alluding to, what I can say is that our commitment is to use the financial resources that have been invested by Albertans in the budget of the Ministry of Health to deliver health care services to people that need them right now, and that's true, Mr. Speaker, whether it's a primary care network or a family care clinic or any one of a number of other innovative models that are out there in the health care system today.

Mr. Eggen: You know, that's very interesting, Mr. Speaker. Given that for more than two years we waited, with community health sitting in limbo, while 137 of the 140 family care clinics failed to materialize, can the minister account for all of the lost health care during this time: the measles epidemic, mental health, overcrowded emergency rooms, and much, much more?

Mr. Horne: Again, Mr. Speaker, I'm not sure I understand the point of the question. What I can tell the hon. member is that all of the things that he talked about continue to be funded and continue to be priorities for this government. Things as basic as vaccination against childhood diseases are, in fact, part of primary health care, as are the other things that he mentioned in his list. What would be very interesting is to hear the hon. member talk about the importance of primary health care, how we need to stop doing things in the hospital that we can and should do in the community and get behind the front-line health care professionals in Alberta who are doing exactly that.

The Speaker: The hon. Member for Rimbey-Rocky Mountain House-Sundre, followed by Edmonton-South West.

Electricity Prices

(continued)

Mr. Anglin: Thank you, Mr. Speaker. This government likes to boast about how well the Alberta electricity system is working. Unfortunately, Albertans don't buy their propaganda or spin. The Fraser Institute confirmed yesterday what Albertans already know: Albertans pay some of the highest costs for electricity in North America. To the minister: can you at least emulate your leader and give Albertans an insincere apology for this failure to deliver lower electricity utility bills?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Well, thank you, Mr. Speaker. As I said – and perhaps he wasn't listening to his leader's questions because it sounds remotely the same. I'll give the same answer. When you take away the hydro piece and you look at the debt, Alberta is very competitive. Why do you think so many people are moving to Alberta and coming to invest in Alberta? It's because this is a great place to live, work, and do business.

2:30

Mr. Anglin: At least it was insincere.

Can the minister explain why she believes the market is working for Albertans when two independent, separate studies

now confirm that out of 119 cities studied, only Honolulu pays more for electricity than Edmonton small businesses?

Mrs. McQueen: Well, Mr. Speaker, this is rewind, but that's okay, and I sincerely mean that so that you're not offended. [interjections] In Alberta private operators build and they invest in infrastructure. I would like to know if that hon. member and that hon. party would prefer that we re-regulate the system and not allow open and competitive markets in Alberta. This government believes in open and competitive markets, and our electricity prices are affordable in this province.

The Speaker: Thank you.
Let's try this again.

Mr. Anglin: That's so inaccurate that that's offensive to all Albertans.

Given that we are an energy-producing province and not an island in the Pacific that has to import just about everything – aloha – why should Albertans trust this government when the minister continues to claim that electricity costs are low when everyone can plainly see that the total cost of an electric utility bill has doubled over the years and that it continues to go up?

The Speaker: The hon. Minister of Energy.

Mrs. McQueen: Well, thank you, Mr. Speaker. Frankly, sincerely, I'd like you to know and the House to know and Albertans to know that over the past 10 years electricity prices in Alberta have actually been competitive with all other provinces that do not have access to cheap hydroelectricity. I wish we had cheap hydroelectricity in this province, but we don't. But we're competitive. We don't have the debt that those other provinces carry. [interjections] The reason people come to Alberta is because this is a great place to invest.

The Speaker: Just a little too much bantering across the bow from both sides there.

Let's go on to Edmonton-South West and see if we can be heard.

Postsecondary Education Funding

Mr. Jeneroux: Thank you, Mr. Speaker. Like many Albertans, I'm glad to see institutions of postsecondary education in this province receive a funding boost from last year's budget. Talking with those who attend or are employed by these institutions has shown me that these increases are enthusiastically welcomed, especially considering that this funding will assist the construction of new learning and research facilities. However, that's where the good news of my preamble ends. The fact remains that funding levels have not recovered to the point they were at prior to Budget 2013. My question is to the Premier. Can we still expect additional funding increases for Alberta postsecondary education? Assuming it's yes, what size of increases can . . .

The Speaker: Thank you.
The hon. Premier.

Mr. Hancock: Thank you, Mr. Speaker. Well, we just passed this year's budget last week or the week before, so we shouldn't get too excited about next year's yet, but I would say this. Postsecondary institutions across the province did the same thing that government did last year, and that is going through results-based budgeting processes, looking to make sure that they're spending their money in the most effective way to achieve the results for Albertans. This year we were able to add \$32 million to

those budgets to fund programs that institutions themselves said met student needs or met economic demand. That's what we need to do, and that's what we're working on with the postsecondaries, making sure that we're funding in a targeted way to deal with those programs that they think are important.

The Speaker: Thank you.
The hon. member. First supplemental.

Mr. Jeneroux: Thank you, Mr. Speaker. I'm always excited for the next budget day.

My next question is to the Premier. Given that there are employment incentives for young Albertans to forgo postsecondary education in favour of entering the workforce right away, what is being done with college and university administrations to encourage young Albertans to enrol and not just simply enter the workforce directly from high school?

The Speaker: The hon. Premier.

Mr. Hancock: Well, thank you, Mr. Speaker. There are a number of programs that we have under way, including dual-credit strategies, that we're working with the K to 12 system on so that students can experience postsecondary courses while they're still in high school and ease the transition. We also have the registered apprenticeship program, which helps to do the same thing. But we also go out actively with the Learning Clicks program, which helps students understand what kind of postsecondary programs are available to them and what the long-term benefits are, and an ambassadors program, which reaches about 22,000 students every year, encouraging them to understand the value, the benefit, and the opportunities of a postsecondary education.

The Speaker: Final supplemental.

Mr. Jeneroux: Thank you, Mr. Speaker. Given that it's Mental Health Week, as referenced earlier by the hon. Member for Edmonton-Manning, this question is to the Minister of Health. We have a lot of students who have benefited from the initial influx of mental health funding at postsecondary institutions; however, they could do just so much more if they had additional resources. Minister, what further is being done to promote and protect mental health amongst our student population?

Mr. Horne: Well, Mr. Speaker, we're doing a great deal, or I should say that the students themselves are doing a great deal. Currently we are providing grants of \$3 million in total to the universities of Alberta, Calgary, and Lethbridge and another \$1.5 million to the Alberta Students' Executive Council. I've had an opportunity, as I think the hon. member has, to learn what students in Alberta postsecondary institutions have done with this money in terms of supporting direct treatment, peer support, and raising awareness about this very important issue. This is money well invested, and we'll look to do what we can to enhance it.

The Speaker: Thank you.
The hon. Member for Cardston-Taber-Warner, followed by Calgary-Glenmore.

Construction Labour Legislation Review

Mr. Bikman: Thank you, Mr. Speaker. In 2011 John Hope and Dwayne Chomyn were asked to study and report on construction labour relations in Alberta. Several specific, critical areas were suggested for analysis and inclusion. The study or report was prepared and presented to the minister but never released. Will

this PC government's claim of gold-standard transparency actually materialize in the form of the Hope-Chomyn report being shared with all MLAs and the public, or is it really just iron pyrites?

Mr. Lukaszuk: Mr. Speaker, indeed, both lawyers, Mr. Chomyn and Mr. Hope, have provided legal advice to the minister, advising the minister that a review of the labour code needs to happen. Mr. Andy Sims, a well-respected lawyer, has conducted a review. His report has been released. Government has adopted all of Mr. Sims' recommendations. I know that this fall negotiations are beginning to happen with building trades and owners, and we are ready to proceed as long as the caucus is ready to proceed with this matter through legislation.

The Speaker: First supplemental.

Mr. Bikman: Thank you, Mr. Speaker. Given that the minister asked Hope and Chomyn for a labour diagnosis, which he clearly didn't like, then asked for a second opinion, which he's had for five months and only released last week, how can the MLAs and the public and the parties directly involved with construction and labour in Alberta have confidence in the latest report? Why the haste or the announced haste, anyway, to propose legislation without a full review and further involvement from all the stakeholders?

Mr. Lukaszuk: Well, Mr. Speaker, it is rather interesting that this member knows what's in the report that wasn't released but has no clue what's in the report that was released. The report that was released gives very clear recommendations to our government. A lengthy consultation took place with Merit Contractors, with CLAC, with owners, with building trades. Six recommendations, following four years of recommendations, have been given. Government has adopted those recommendations, and we're ready to proceed on this particular file.

The Speaker: Final supplemental.

Mr. Bikman: Thank you, Mr. Speaker. Given that Alberta has had significant construction labour peace for the past 20 years, which many believe is largely due to the competition for skilled trades and crafts and the various unions and associations that provide them, doesn't the minister realize that it would be prudent to take the time to fully engage all of the stakeholders, as they're all clamouring to do and have announced this week in press releases and so on, seeking first to understand and then to be understood so that a synergistic bill could be prepared and presented to the Legislature?

Mr. Lukaszuk: Mr. Speaker, all stakeholders have been consulted on this matter for over four years right now. They have had ample opportunity to provide valuable input. Mr. Sims has worked with all stakeholders diligently. He has produced six recommendations. We have reviewed them as government. We have adopted those recommendations. Legislation is in the process of being drafted, and subject to this Chamber and particularly to caucus as well we're ready to go ahead on this file.

The Speaker: Thank you.

The hon. Member for Calgary-Glenmore, followed by Little Bow.

2:40

Innovation System

Ms L. Johnson: Thank you, Mr. Speaker. We as a province have a long history of innovation, from the Alberta Research Council to the Alberta Innovates companies, and last week the Premier

agreed to the establishment of an innovation council. Can the Premier advise the research and business community how this next creation will improve and increase innovation development in Alberta?

The Speaker: The hon. Premier.

Mr. Hancock: Thank you, Mr. Speaker. We've had a very good year, actually, in terms of working together with the innovation ecosystem in this province to try to create better synergies and better opportunities. We had, out of the Emerson report, a recommendation for an applied research institute. The expert panel then was set up and studied it and consulted with the stakeholders. Just this last week we had a very important forum with stakeholders in the innovation community, where we talked about what the policy going forward needs to be and what the operational strategies need to be, and we'll be very near a report on that within the month.

The Speaker: Thank you.

Ms L. Johnson: Thank you, Premier. For those risk takers, inventors, and researchers throughout Alberta how will the capital forum mentioned in last week's event increase opportunities for commercialization of their discoveries?

Mr. Hancock: Well, Mr. Speaker, absolutely, one of the things that's important to Alberta innovation is how innovators can access patient capital; in essence, early-stage capital, prototype capital, venture capital, all types of capital for patient capital, as it's described. We have had very successful ventures into that area with Alberta Enterprise Corporation, the AVAC, and others in which we've been able to provide funds for funds and to fund opportunities, nine new venture capital operations in this province, so a number of different ways. But there is much, much more work to do, and we're very actively working with the community to do it.

The Speaker: Thank you.

Final supplemental.

Ms L. Johnson: Thank you. What is the expected time frame for the council and the forum to be established and operational?

The Speaker: The hon. Premier.

Mr. Hancock: Thank you, Mr. Speaker. We indicated to the forum that we would like to have all of the structure put in place within the next month. We'll be bringing it through government for approval. The hon. member mentioned announcing the innovation council. We're not quite there yet. We actually talked about creating an innovation council. We'll bring it through for approval. We hope to have it in place by the end of June and operational by the end of the summer.

The Speaker: Hon. members, the time for question period has expired.

Could we have unanimous consent to revert briefly to Introduction of Guests?

[Unanimous consent granted]

Introduction of Guests

(continued)

The Speaker: The hon. Associate Minister – International and Intergovernmental Relations.

Ms Woo-Paw: Thank you, Mr. Speaker. It's my pleasure to introduce to you and through you the winners of the Think Globally Art Contest, whose submissions will be included in the coffee-table book *Alberta through the eyes of our youth*, which will be showcased in our international offices and given as a gift to visiting dignitaries. This morning on behalf of the Minister of Education I had the chance to help launch the book and meet with these talented K to 12 students from across the province and view their artistic submissions, that allow them to reflect on Alberta and promote its vibrant and diverse qualities to the rest of the world.

Joining us today are four students and their families. I ask that they please rise and remain standing as I call out their names: Estelle Osi, winner, grade 2 to 3 category, and her family; Emmy Wyatt, winner, grade 7 to 9 category, and family; Rebecca Jabbour, winner, grade 10 to 12 category, and her mother; and Gloria Tse, honourable mention, grade 10 to 12 category, and family. I would also like to recognize those with winning and honourable mention submissions unable to join us today: Mackenzie Chamzuk, Nova Land, Michelle Mo, Kenna McIntosh, Megan McLeod, Yuyang Yan. The students are seated in the members' gallery, and I ask my colleagues to please give them the warm welcome of the House.

The Speaker: Thank you.

Members' Statements

(continued)

The Speaker: Let us resume with members' statements, starting with the Calgary-Hawwood, followed by Cypress-Medicine Hat.

Skilled Labour Shortage

Mr. Luan: Thank you, Mr. Speaker. Labour shortages in Alberta have been increasingly recognized as a challenge to sustaining our continued economic boom. What has made it even worse was that last year in Alberta 11,000 Albertans dropped out of high school. In addition, about 65 per cent of those aged 18 to 24 were not enrolled in university, college, or trade and technical institutions. Clearly, there is some gap between the demand and the supply of skilled labour in Alberta.

A recent report by the Canadian Chamber of Commerce, entitled *Upskilling the Workforce: Employer-Sponsored Training and Resolving the Skills Gap*, suggests that government should become proactively involved, either directly or indirectly supporting employers to provide training to upgrade essential skills. The report further identified that the government needs to provide incentives for first-time employers such as those in the retail trade to invest in employer training, embed literacy and essential skills into professional requirements and training programs, and facilitate partnerships to help develop literacy and essential skills for employees.

Mr. Speaker, I'd like to call upon hon. members of this House to join me to urge the government of Alberta to develop a comprehensive provincial solution to meet the needs of labour shortages in Alberta. This can be done by incorporating the many recommendations mentioned already and by expanding some of the existing programs that work such as dual credit and off-campus education. Addressing future labour shortages will ensure that Alberta is able to maintain its competitive advantage to grow and prosper.

Thank you, Mr. Speaker.

The Speaker: Thank you.

Family Caregivers

Mr. Barnes: Mr. Speaker, this week is national Family Caregiver Week, a special week to acknowledge the tremendous work done by family caregivers. Today I would like to join with the Caregiver Coalition of Southeast Alberta and the constituents of Medicine Hat and Cypress-Medicine Hat in recognizing the outstanding contributions of family caregivers to the quality of life for so many Albertans.

For many people the hard work they do caring for loved ones is second nature, and they do not see themselves as so-called caregivers. This is a week to recognize their important contributions caring for our most vulnerable. The kind of care being provided ranges from the everyday to the unique. Many of these tasks are so important, yet we seldom think about them until the help is needed. These tasks include providing transportation, housework, outdoor chores, helping with medical treatments, and providing personal care. Many times family members make personal and financial sacrifices in order to care for their loved ones.

In the *Portrait of Caregivers, 2012*, by Statistics Canada nearly half of Canadians over 15 are shown to have provided care to a family member or friend with a long-term health condition, disability, or aging needs. The report identified age-related needs as the single most common problem requiring help from caregivers. This was followed by cancer, cardiovascular disease, mental illness, and Alzheimer's disease. Overall, caregivers spend a median of three hours each week providing care for a disabled family member or a friend.

Mr. Speaker, our family caregivers are so important. They are the first line of defence for many Albertans, and the work they do is critical to the overall patient care and comfort of our most vulnerable. Please join me in thanking our family caregivers and the Caregiver Coalition of Southeast Alberta.

The Speaker: Thank you.

Presenting Reports by Standing and Special Committees

The Speaker: Hon. Member for Edmonton-McClung, I believe you have a special report you wish to present at this time.

Mr. Xiao: Yes. Thank you, Mr. Speaker. As the chair of the Standing Committee on Private Bills I would like to report that the Standing Committee on Private Bills has had certain bills under consideration and wishes to report as follows. The committee recommends that Bill Pr. 1, the Rosebud School of the Arts Amendment Act, 2014, proceed in this Assembly and that Bill Pr. 2, the Maskwachees Cultural College Amendment Act, 2014, proceed in the Assembly.

I request the concurrence of the Assembly in these recommendations.

The Speaker: Hon. members, you've heard the request. Does the Assembly concur in the report? If you do, please say aye.

Hon. Members: Aye.

The Speaker: Those opposed should say no.

Accordingly, it's unanimously carried and so ordered.

Introduction of Bills

The Speaker: The hon. Member for Sherwood Park with a bill.

Bill 13
Condominium Property Amendment Act, 2014

Ms Olesen: Thank you, Mr. Speaker. I rise to introduce Bill 13, the Condominium Property Amendment Act, 2014.

Alberta's growth over the last decade has also resulted in growth in the condominium industry, with more homebuyers choosing to live, work, and invest in condominiums. Condominiums play an increasingly important role in meeting Alberta's housing needs and are a preferred option for many first-time homebuyers and retirees. There are thousands of condominium corporations located throughout Alberta. Approximately 20 per cent of homes sold in Alberta are now condominium units. In Edmonton and Calgary condominium sales account for 1 in every 3 homes sold. The Condominium Property Act establishes the framework for the development, sale, and governance of all types of condominiums, including residential, commercial, and mixed-use projects. It sets out rules of operation and obligations of developers, buyers, owners, and the elected boards.

2:50

This bill is a direct result of the extensive consultation commenced in 2013. It reflects the considerable feedback we have received from a wide range of stakeholders, including but not limited to developers, condo owners, board members, condo managers, and legal experts. Consultations involved town hall style meetings in Edmonton and Calgary, an online questionnaire that generated thousands of responses, and further targeted discussions with expert groups of stakeholders. This bill also incorporates a number of valuable insights and recommendations reflecting Service Alberta's dialogue with legal experts in the condominium industry.

There was a clear message from this cross-section of stakeholders that the current act needs to be modernized to keep pace with the diverse and growing condominium sector. It includes amendments to protect consumers, supports responsible self-governance of condominiums, and facilitates efficient resolution of disputes. Specific examples of amendments include improved transparency and accountability for boards and developers, an enhanced inspection and enforcement section, rules respecting the regulation of condominium managers, and the creation of a new tribunal whose focus will be to hear and settle a variety of condominium disputes. As this legislation deals with an area that is constantly evolving, this bill also updates and clarifies some of the provisions in the act to best reflect common industry practices and terminology.

This bill is a significant step forward to ensuring that Alberta's condominium legislation is modernized and works effectively for the many Albertans it impacts every day. Thank you.

The Speaker: Thank you, hon. member.

[Motion carried; Bill 13 read a first time]

Mr. Olson: Mr. Speaker, I move that Bill 13, the Condominium Property Amendment Act, 2014, be moved onto the Order Paper under Government Bills and Orders.

[Motion carried]

Tabling Returns and Reports

The Speaker: The hon. Associate Minister of Wellness, followed by Edmonton-Highlands-Norwood.

Mr. Rodney: Thank you, Mr. Speaker. I am pleased to present and table five copies of the 2012 annual report of the College of Dental Technologists of Alberta. Highlights include ministry comments on the new standards of practice and code of ethics, on the college administering theory and practical exams for the new college applicants, and establishing mandatory participation in a continuing competency program.

I am also pleased to table five copies of the 2013 annual report of the College of Registered Psychiatric Nurses of Alberta. Highlights include approval of the bachelor of psychiatric nursing program at Grant MacEwan University, which will allow registered psychiatric nurses to take their postdiploma program in Alberta. The college is also working with Canadian psychiatric nursing regulatory bodies to develop national standards for psychiatric nursing education programs.

Thank you, Mr. Speaker.

The Speaker: Thank you.

The hon. leader for the New Democrat opposition or someone on behalf of.

Mr. Bilous: Thank you, Mr. Speaker. I have two tablings on behalf of the hon. Member for Edmonton-Highlands-Norwood. The first is 1,514 signatures on a petition gathered by the Alberta labour coalition on pensions. The petition asks the Legislative Assembly to pass legislation that will ensure that any changes to the LAPP or PSPP are the result of negotiations between government and affected employees.

My second tabling, Mr. Speaker, is 50 of over 4,000 postcards our office has received asking this PC government to restore consistent and reliable funding to postsecondary education in Alberta. The postcards collected by the Non-Academic Staff Association at the U of A are clear evidence that the government is not listening to the demands of Albertans for a well-funded postsecondary system that is both accessible and affordable for all.

Thank you, Mr. Speaker.

The Speaker: Thank you.

I have Calgary-Mountain View with five items, followed by Fort McMurray-Wood Buffalo, followed by Banff-Cochrane, followed by Highwood, Airdrie, Innisfail-Sylvan Lake.

Dr. Swann: Thank you very much, Mr. Speaker. I'm tabling in reference to the leader's questions today the FOIP request on untendered Navigator contracts and a job description for employees of the Public Affairs Bureau; also tabling the public statement by the Canadian National Institute for the Blind recognizing Vision Health Month; and three different documents relating to the Sims report on the labour code review, including one from PCL, another from the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, and from the Merit Contractors Association.

Thank you very much, Mr. Speaker.

The Speaker: Thank you.

Let's go on to Fort McMurray-Wood Buffalo, followed by Banff-Cochrane.

Mr. Allen: Thank you, Mr. Speaker. I'm rising to table the requisite number of copies of a report prepared by Edward G. Hughes and Mita Giacomini from McMaster University titled Funding In Vitro Fertilization Treatment for Persistent Subfertility: the Pain and the Politics. This report's objective was to consider the arguments for and against funding for in vitro fertilization and explore potential avenues for policy change.

The Speaker: Thank you.

Hon. Government House Leader, you have caught my attention.

Mr. Campbell: Yes, Mr. Speaker. I'm just wondering if we could waive I believe it's section 7(7) and continue with the business of the day past 3 o'clock.

The Speaker: Hon. members, this requires your unanimous consent.

[Unanimous consent granted]

The Speaker: Let us continue. Fort McMurray-Wood Buffalo, you were finished? Thank you.

Let's go on to Banff-Cochrane, followed by the Leader of the Official Opposition.

Mr. Casey: Thank you, Mr. Speaker. I will table the articles referenced yesterday on the debate on Bill 204, one from the *East Central Alberta Review* and two from the *Stettler Independent*.

Thank you.

The Speaker: Let's go on. The Leader of Her Majesty's Loyal Opposition, followed by Airdrie.

Ms Smith: Thank you, Mr. Speaker. I'm pleased to submit the requisite number of copies of a class project done by the very smart grade 6 students of Senator Riley school. What it is is a number of letters, petitions, and informational presentations about the issues the students are concerned about. It won't surprise you that some of the issues are cyberbullying, women's hockey, animal cruelty, and an issue that might be of some interest to the Wellness associate minister. A number of the students in my riding are concerned about the sale of vapour cigarettes to minors. I gather that those vapour cigarettes, even though they don't contain nicotine, can be sold to students of any age. Some of the kids are coming to school with these cigarettes, and they wanted to let us know and let the minister know that they were concerned about it. I will give five copies of all of these presentations and hope everyone has a chance to look at it.

Thank you.

The Speaker: Thank you.

Mr. Anderson: Mr. Speaker, I have two tablings. The first is an e-mail from a gentleman named Richard Wiebe asking why Alberta is the only jurisdiction in Canada not permitted to trade in currency without special exempt status on our exchanges. He wants the minister to review this decision and to reverse it. That's the first one.

The second tabling I have is an e-mail from a Miss Trudy Pool, who is concerned that the Alberta Insurance Council may be considering altering its qualification exam for life insurance agents from the one currently used by almost every Canadian province to one used and regulated out of Quebec, which she feels will result in fewer agents being qualified to work here. She'd like the Alberta Insurance Council to stay with the current exam that we have now.

The Speaker: The hon. Member for Innisfail-Sylvan Lake, followed by Chestermere-Rocky View.

Mrs. Towle: Thank you, Mr. Speaker. I'm presenting a tabling today from the Canadian Somali community in Alberta, and they are asking that Canadian Somali children currently under an adoption order be kept within their own cultural families. They

ask that the Minister of Human Services demand that action be taken by intervening in the adoption order to the non-Somali family. They ask that he make sure that the service providers respect the cultural and faith perspectives of the family, in this case the Islamic faith and the Somali culture. He also asks that the Minister of Human Services require CFSA directors to involve a designated person from the community in planning a placement for a Canadian Somali child in the need of care. There are over 70 signatures on this, and they will be presenting a tabling each day.

The Speaker: Thank you.

The hon. Member for Chestermere-Rocky View.

3:00

Mr. McAllister: Thank you, Mr. Speaker. Our pages are getting a bit of a workout today, and it's about to continue. I would like to make two tablings also. The first, with the requisite number of copies, has 14,179 signatures, the majority of which are Albertan, put together by Dr. Nhung Tran-Davies. They are Albertans and Canadians that are concerned with the direction of the math curriculum, and they would like to see the basics returned as the fundamental teaching tool and the multiple strategies used as an option when students struggle with the fundamentals. There are 14,179 signatures.

The Speaker: Did you have a second tabling?

Mr. McAllister: I do, if you'll indulge me, Mr. Speaker.

The Speaker: Please proceed.

Mr. McAllister: The second tabling is the comments on this petition put together by Dr. Nhung Tran-Davies. These are comments from everyday Albertans, from teachers, from university professors, from engineers, from doctors, from just about everybody you could name. They are not living in the Stone Age. They are genuinely concerned with the direction of Alberta education. I would encourage every member to read these comments and figure out what's going on in our schools.

The Speaker: Thank you.

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

Ms Blakeman: Thank you so much. I have four tablings. The first two are copies of the proposed amendments that had been put together by my colleagues and I. The first section is the amendments we were proposing for Bill 9, the Public Sector Pension Plans Amendment Act, 2014, which is now going to a committee.

The second set of amendments were those we were proposing, mostly from the Member for Calgary-Mountain View and myself, to Bill 10, the Employment Pension (Private Sector) Plans Amendment Act, 2014.

Then I have a report that I'm tabling, from my constituency office in the fabulous constituency of Edmonton-Centre, to the Assembly on various letters received from constituents and others around the incentives for pharmaceutical purchases. They make note. One person says, "I am on a very limited income, this helps a great deal." Others: "The people you are hurting are the ones that need help the most." Another: "No different than places that give out free parking or other perks." That's that report. I think I heard from 18 people there.

Finally, a very good letter from Sheena Neilson, writing to me, her MLA, with the other side of that particular issue, in which she supports the banning of loyalty rewards for a medication purchase

and gives a number of examples where she has seen that result in an unsatisfactory or harmful application.

Thank you.

The Speaker: Thank you.

Tablings to the Clerk

The Clerk: I wish to advise the House that the following document was deposited with the Office of the Clerk: on behalf of the hon. Mr. McIver, Minister of Infrastructure, a memorandum dated May 5, 2014, from Marcia Nelson, deputy minister, Infrastructure, to the hon. Mr. McIver, Minister of Infrastructure, regarding construction on the 11th floor of the Edmonton federal building.

The Speaker: Thank you.

Hon. members, there are no points of order, so we can go straight onward with the business of the day.

Orders of the Day

Government Bills and Orders Second Reading

Bill 12 Statutes Amendment Act, 2014

The Speaker: The hon. Government House Leader.

Mr. Campbell: Thank you, Mr. Speaker. I'm pleased today to rise and move second reading of Bill 12, the Statutes Amendment Act, 2014. Bill 12 amends several pieces of legislation. I'll provide some details on these changes.

Amendments to the Government Organization Act include living up to our commitment to ensure that the dispute mechanism for both the agreements on internal trade and New West Partnership trade are respected. All parties involved with these agreements – the federal, provincial, and territorial governments – have agreed to these changes and are implementing them. Failure to enact these changes will put Alberta in breach of its obligations under the agreement on internal trade and the New West Partnership trade agreement.

The amendments to schedule 9 of the Government Organization Act will clarify roles at Alberta Justice and Solicitor General and ensure the accuracy of the act. One amendment allows for the separation of the roles of Deputy Minister of Justice and Deputy Attorney General. The other amendment updates the Government Organization Act to correct a historical error and ensures the functions of Attorney General and Solicitor General are properly reflected in the act.

[The Deputy Speaker in the chair]

The roles of Deputy Minister of Justice and Deputy Attorney General are being separated because the Minister of Justice and Solicitor General acts as the Attorney General of Alberta, and as such he requires legal advice on criminal and civil matters and such on a regular basis. Separating the functions of the Deputy Attorney General from the position of deputy minister allows for a lawyer to fill the role of the Deputy Attorney General while a person without formal legal training is able to act as deputy minister. Under these circumstances a well-qualified individual can administer Alberta Justice and Solicitor General as deputy minister, and a person with a legal background can look after the legal needs of the ministry as Deputy Attorney General.

The historical error being corrected is in reference, in the act, to the role the Solicitor General played in England. Historically, the duties of the Solicitor General in England included advising the Crown and cabinet on legal matters. When the government of Alberta established the department of Solicitor General in 1973, the Solicitor General was assigned the duties attached to the office of the Solicitor General in England. This was likely done in error as here in Alberta the Solicitor General's duties relate to matters of public security and corrections rather than to a legal officer's. This amendment puts responsibility for legal matters back in the hands of the Attorney General, where it belongs.

Bill 12 will also make amendments to the Mines and Minerals Act. It will also update some sections of the Freehold Mineral Rights Tax Act to be consistent with these proposed amendments. The Mines and Minerals Act governs the management and disposition of rights in the Crown-owned subsurface lands and minerals, including the levying and collecting of bonuses, rentals, and royalties. The Freehold Mineral Rights Tax Act governs the collection of tax from freehold mineral rights holders on an annual basis. The bulk of the amendments to the Mines and Minerals Act relates to the audit and assurance processes for ensuring that the correct royalties under the act are assessed. This will ensure that the Crown royalties levied are appropriate and will increase efficiencies for both government and industry by clarifying administrative processes. The proposed changes are administrative and revenue neutral. They do not impact royalty rates or allowable cost deductions.

Bill 12 will also amend two health statutes. This act sets out six proposed amendments, three to the Health Information Act and three to the Regional Health Authorities Act. The Health Information Act governs the collection, use, disclosure, and protection of health information. As you know, a recent privacy breach occurred involving a lost or stolen laptop that included unencrypted health information. About 620,000 Albertans were placed at an unknown level of risk when they were not notified for nearly four months after the breach. The proposed amendments will address this situation by strengthening the Health Information Act.

The first proposed amendment will make it mandatory to notify the Information and Privacy Commissioner, the minister, and the affected individual when a breach creates a risk of harm to an individual as a result of this breach. This notification must come as soon as practicable. The regulation-making authority for the Lieutenant Governor in Council will be expanded to set out the factors that must be considered in the determination of harm and the requirements for notification. An exception would be established to the notification requirement if providing notice to an affected individual would be expected to compromise that person's physical or mental health. In that case, the custodian of the health information must inform the Information and Privacy Commissioner of the reasons why notice isn't being provided. The commissioner may then by order require the custodian to provide a notice that contains the information specified in the order, in the form, manner, and within the time specified in the order.

The second proposed amendment to the Health Information Act will authorize the Information and Privacy Commissioner to disclose to the Minister of Health any information that is necessary for the minister to exercise the powers or carry out the duties or functions of the minister in respect of any matter under the minister's administration. An amendment is also proposed to authorize the commissioner to disclose information to any person where disclosure is in the public interest or required to protect the privacy, health, or safety of an individual.

The third proposed amendment to the Health Information Act will expand its offence provisions. For example, the amendment will make it an offence for failing to notify the commissioner or minister of a privacy breach when notification is required, failing to provide notice to an affected individual where notification is required, or failing to take reasonable steps to protect against the threat or hazard to the security or integrity of health information or of loss of health information. These offences will be punishable by a significant fine, starting at \$2,000 for individuals and \$200,000 for corporate and other entities.

3:10

The Statutes Amendment Act, 2014, also proposes three amendments to the Regional Health Authorities Act. This act provides authority for the establishment and administration of health regions in the province. The first proposed amendment will ensure that the exclusion of liability provision in the act also applies to the official administrator of Alberta Health Services, just as it did to the former AHS board of directors. The Alberta Health Services official administrator is responsible for all of the duties of the regional health authority and has the power and authority of the regional health authority. The legislative change will help protect the official administrator from legal action when acting in good faith while carrying out the position's duties.

The second proposed amendment will provide authority for the Minister of Health to issue a directive to Alberta Health Services to disestablish and wind up the affairs of the community health councils, also known as health advisory councils. If the minister chooses to exercise his discretion, the amendment requires the minister to establish a replacement body or council that will act in an advisory capacity to the minister as to the provision of health services in the province or part of it. The change will allow government to move towards establishing other councils similar to the family and community engagement councils established by the Minister of Human Services.

The third proposed amendment requires Alberta Health Services to submit its annual budget to the Minister of Health for approval. The minister also will have the authority to give directions to AHS with respect to the form and content of the budget, the time by which the budget must be submitted and any other information that must be submitted.

Together these six amendments to the health statutes provide greater protection for Albertans' health information and more oversight for AHS budgets.

If passed, changes to the relationships statutes act would update Alberta legislation to be in line with federal legislation. Since July 2005, when the federal Civil Marriage Act came into force, same-sex couples have had the legal right to marry in Alberta. The proposed changes will replace or delete outdated language and provisions in Alberta legislation that no longer reflect the current law. The proposed amendments would ensure that the language used in the Alberta statutes is consistent with the law as it is interpreted and applied in practice. This is simply part of evergreening legislation, which is part of the normal legislative process. The proposed legislation would not change any legal rights or obligation, nor does it endorse any particular definition of marriage.

Changes to the Vital Statistics Act will allow changes to the requirement for individuals to amend their sex indicator on birth records and birth certificates in a manner which is seen as less discriminatory. Service Alberta has been actively monitoring changes in other jurisdictions and collaborating with the Vital Statistics Council for Canada on this issue. The proposed amendments will authorize the creation of regulations to allow a

change of sex identifiers on birth records or certificates. While the regulations are being revised, requests for a change of sex on a birth certificate from transgendered individuals will be addressed on a case-by-case basis to accommodate those individuals who have not had sex reassignment surgery. This change shows our government's commitment to addressing this issue while allowing time for consultation and analysis to ensure that we are getting it right.

Amendments to the Charitable Fund-raising Act will remove requirements for all charitable organizations to prepare audited financial statements. These charitable organizations will now be required to prepare financial information returns signed by two directors. These changes will result in significant savings to many charitable organizations. These amendments will be particularly beneficial to charitable organizations, like postsecondary institutions, that are already required to prepare a different set of audited financial statements under other legislation. I know organizations in my constituency of West Yellowhead will be in support of this change.

Amendments to the Societies Act will allow nonprofit organizations incorporated outside of Alberta to apply for continuance into Alberta. Alberta nonprofits will be permitted to apply for continuance to other jurisdictions and permit such continuances. These amendments provide a simple and efficient approach to allow nonprofits to change the jurisdiction in which they are incorporated. Without the option of continuance nonprofits are required to reincorporate a new organization in a new jurisdiction, transfer all assets to the new organization, and then dissolve their current organization. These amendments were requested by the Muttart Foundation and are supported by the Alberta Law Reform Institute.

I look forward to hearing others speak to Bill 12. I look for all societies to support these amendments for the benefit of all Albertans. Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. minister.

I recognize the hon. Leader of the Official Opposition.

Ms Smith: Thank you, Mr. Speaker. It's an honour to be able to speak to Bill 12, the Statutes Amendment Act, 2014, this afternoon. I'm going to keep my remarks brief, but there are a couple of important related amendments in this bill that I think the government should be congratulated for bringing forward.

The first are the planned changes to the Marriage Act and related changes to the Adult Interdependent Relationships Act, Dower Act, Fatality Inquiries Act, Law of Property Act, Metis Settlements Act, and 14 other pieces of legislation that will use neutral terms to refer to parents and spouses. They are symbolic changes that will have no real impact on the law as it is practised. It already is the law. But the symbol of equality before the law is a powerful one and one that should receive the support of this Legislature.

Next year will mark the 10th anniversary of same-sex marriage becoming legal in Canada. It was a hard-fought battle for fairness and equality under the law and one that I personally have always supported. As I've said, the changes we're debating today have no legal consequence for same-sex couples in Alberta. The federal law supersedes our own and already allows gay and lesbian couples to marry, but the fact is that we still have language on the books that does not reflect the federal law or the shift in public attitudes that we've seen in the last decade.

Back in 2005 an Ipsos-Reid poll found that a majority of Albertans, 56 per cent, opposed same-sex marriage. An October 2011 poll conducted by Lethbridge College found that those

opposed had declined to just 28 per cent. According to that poll 72 per cent of Albertans approved of same-sex marriage. That poll was taken three years ago, and I'd be surprised if that number isn't even higher today. In short, these changes reflect the federal law and majority public sentiment. It does not interfere with the right of individuals to practise their faith in their own way subject to the tenets of their beliefs. For these reasons I will support it.

The second major change is along the same vein, the amendments to the Vital Statistics Act that remove the onerous process for transgendered individuals to have their birth certificates changed. Once a person has made the decision to seek out this procedure, the process to make it official on government-issued identification should be as barrier free as possible, and I'm happy to see that the amendments of this bill will accomplish that.

Together, these two major amendments are an important show of respect to Alberta's LGBTQ community. The Wildrose believes that we should continually strive for full equality for all Albertans. This will be an ongoing effort, but these amendments are a step in the right direction. I thank the government for its leadership in bringing them forward. I'm pleased to support them, and I will urge my colleagues to do the same.

With that, Mr. Speaker, I move to adjourn debate.

[Motion to adjourn debate carried]

Private Bills Second Reading

Bill Pr. 1

Rosebud School of the Arts Amendment Act, 2014

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

Mr. Hale: Thank you, Mr. Speaker. It is my honour to rise and move second reading of Bill Pr. 1, Rosebud School of the Arts Amendment Act.

As the chair of the Private Bills Committee mentioned, they met this morning, and Dr. Lyle Oberg and Mr. Colin Jackson, who are members of the board of directors for this school, both presented to the committee.

As I stated when I introduced the bill, this is a very special place in Alberta that many members on both sides have had the opportunity to visit. It's something that was started many, many years ago by a very forward-thinking and exceptional man, LaVerne Erickson, who started the school and the theatre in Rosebud. It has since grown immensely, and it's become a very, very hot spot in my constituency and in southern Alberta.

Basically, in this bill what they are doing is that they are updating certain definitions. They're changing from a board of directors to a board of governors, with their qualifications and numbers. They're changing the school's fiscal year-end. They are updating certain definitions within this bill. There are several wording changes to be consistent with the school's mandate.

3:20

One of the interesting facts about this theatre and school in Rosebud was mentioned this morning, that 35,000 to 40,000 tickets a year are sold to view the plays that are put on, and many of the actors and actresses in these plays are from the school. It's exceptional for the small hamlet of Rosebud to have grown around this school. There are many, many businesses that came into the area because of this school. I would urge anybody who hasn't been there to please take the time and stop by. You will be so greatly impressed that you'll want to visit it again.

The act that it's amending was originally passed in 1988, so there just needed to be some changes to bring it up to speed with today's world. I would strongly recommend that my colleagues in the House support this.

Thank you.

The Deputy Speaker: Thank you, hon. member.
Are there other speakers?
Seeing none, I'll call the question.

[Motion carried; Bill Pr. 1 read a second time]

Bill Pr. 2

Maskwachees Cultural College Amendment Act, 2014

The Deputy Speaker: The hon. Member for Stony Plain on behalf of the Member for Lesser Slave Lake.

Mr. Lemke: Thank you, Mr. Speaker. I'm pleased to rise today to move second reading of Bill Pr. 2, Maskwachees Cultural College Amendment Act, 2014.

This bill has been recommended by the Standing Committee on Private Bills, and I would encourage all members to support it.

The Deputy Speaker: Thank you, hon. member.
Are there other speakers?
Seeing none, we'll call the question.

[Motion carried; Bill Pr. 2 read a second time]

Government Bills and Orders Second Reading (continued)

Bill 11

Child, Youth and Family Enhancement Amendment Act, 2014

[Adjourned debate May 5: Mr. Campbell]

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

Ms Notley: Thank you. I'm glad to be able to rise and speak briefly on Bill 11 in second reading, and I appreciate the opportunity to do it today. I was just in the process of trying to send a note off to one of our researchers to talk about some potential amendments to this bill, but I guess we'll have to wait till I talk about it in second reading first.

I want to begin by saying, you know, that I do believe that this bill reflects an intent on the part of the minister to bring about genuine improvement within his ministry and within certain components of how his ministry has been operating, and I think that should be noted. It's a complex area with complicated issues, and the answers are not always black and white, and I think that all of us who care very deeply about this area of government services understand that.

This bill appears to basically do three things. It deals with the long-discussed and very controversial publication ban, it attempts to inject some quality assurance procedures into the legislation, and it expands the mandate of the children's advocate slightly.

Of course, we all know that this initiative is coming on the heels of a great deal of public concern around how the system is working as a result, primarily, of the investigatory work of the media about what was actually happening within this ministry and the degree to which this information was being shared openly with

the public. Ultimately, when that information finally did come out – and I must say that I disagree with the comments made by the Premier earlier today in question period. It is clear to me on the record that the government spent a great deal of time attempting to impede the release of that information, contrary to what the Premier said, and that, in fact, the media, I think, had to devote significant resources to get that information pried out of the hands of this government.

Of course, that's frustrating because, you know, not all of us have those kinds of resources. Quite honestly, it's frustrating, generally speaking, that this kind of access to information has to be part of such a big campaign to get disclosure about what's happening within our government.

I think we can agree that we all want the same things on this file. We have some differences of opinion in terms of how to get there, obviously. I mean, for instance, our party believes that you can't separate the issue of child protection and child safety from the issues of economic inequality and poverty. Obviously, on issues like that, we have a very significant difference from this government in that we would like to do something to ameliorate economic inequality and poverty whereas this government tends to be sort of dragged kicking and screaming to that particular table. However, that being said, I think that when we get to the mechanics around the fatalities and serious injuries of children in care, we are often looking to achieve the same thing. It's unfortunate that so much of it has to be and had to have been in the past shrouded in secrecy.

One of the points that I like to make at every opportunity is that, in fact, since I was first elected in 2008 and having been involved with this kind of work in a different jurisdiction, I knew right away that there was a category of children that were not in the custody of the ministry *per se* but who were known to the ministry. Right back in 2008 I would ask this government whether the numbers we were getting included all those children who were known to the ministry, all those children who had come into contact with the ministry through some mechanism even though they weren't in the custody of the ministry. I was assured repeatedly by a series of ministers that I was getting all the information. I'm not sure if those ministers were being poorly informed by the senior staff that they had working for them at the time or what exactly was going on, but certainly I will say that I was highly frustrated this fall when those horrible numbers came out after I had been asking that question repeatedly to the minister ever since I'd been elected.

That being said, we have a new minister, and that information has come out, and one of the things that comes from that is the issue of whether or not we should expand the mandate of the children's advocate to ensure that he has the authority to investigate fatalities and serious injuries requiring hospitalization of children who have been within the care of the ministry or receiving services from the ministry for I believe it might be just the previous 12 months. Of course, one of the things we would want to see is that it be expanded to be the previous 24 months. It's good that we are now ensuring that the children's advocate can in fact deal with that other very large and significant group of children, who come into contact with the ministry but are not in the custody of the ministry and who subsequently suffer from tragic circumstances.

As I've said before as well, however, to really ensure that we are all working on this very important topic and very important goal together, we need more transparency. In my view, we cannot get more transparency unless we take the officer of the Legislature, the independent children's advocate, and give that officer, that person, who by definition is independent and

transparent, the direction to provide a thorough investigation for every incident. Unfortunately, what's happening right now, Mr. Speaker, is that that officer and that office is only able to do a fraction of the investigations that it should do. We still have the vast majority of fatalities and/or serious injuries requiring hospitalization remaining shrouded in secrecy in this province. In my view, that is not going to help all of us work together towards what I think probably is a shared objective, which is the reduction in the number of these kinds of tragedies.

In our view, one way to make this bill better is to in fact ensure that investigations are done transparently and independently and openly so that we can have the kinds of conversations we need to in the public sphere to ensure that the public understands and is committed to the initiatives that are necessary to reduce the number of these kinds of fatalities. What we have instead is an enhanced quality assurance provision within the ministry. Now, I'm not opposed to that at all.

3:30

I think it's clear from the report that was released by the children's advocate just yesterday that we have, obviously, a long record in this province and through the work of this government of making recommendations and then just not following through on them. So we have a pile of recommendations the height of the ceiling, all of which, if they were actually implemented, would probably result in huge reductions in the number of fatalities and other serious injuries that are experienced by the most vulnerable citizens of our province. Yet they are not implemented. They instead just pile up, and they kind of overlap on each other. They pile up, and they overlap again, and they pile up. Some people start an initiative here, and another person starts an initiative there, but it's not actually implemented.

So here we are. We get a report, and once again, you know – I mean, for the recommendations all they have to really do is cut and paste at this point because it's like they've been there for years, and they haven't been implemented, and here we are. To some extent the internal quality assurance measures that the minister is attempting to inject into the ministry through the legislation may bring about some discipline internally with respect to moving forward on those recommendations.

I happen to think that it is probably the case as well that there are resource issues involved. You know, I've worked as a representative of people who work on the front line, and policies and procedures are great things, but every time you add a policy and procedure, you've also added more work to the task at hand. It may well be that that work and that task is better completed as a result of that policy and procedure, but you need to acknowledge that it's taking more time. Oftentimes we just think we can write new rules and more rules and more rules but still have the same 10 people doing the same job.

Now, the other thing that's not dealt with in this act, of course, is the ethos which appears in the social policy framework, that this government, I think, is still somewhat attached to although you never know because there's lots of stuff that's produced and then, you know, added to the pile. It was two years ago; it could've been totally rewritten. But because it's still there, no one has actually rejected it.

One of the difficulties with the social policy framework is that it advocates for what I characterized as increased fragmentation, increased decentralization, increased delegation. So at the very time that we are seeing a systemic inability of the system to talk to itself and ensure that everybody is getting the information that they need and that they're taking the steps that they need to take, meanwhile we've got an overarching policy plan which will

further fragment the work that is being done, contract it out to more nonprofits and in some cases to for-profits and in some cases to volunteers. Then we'll wonder why that for-profit and that not-for-profit and that volunteer over there didn't talk to each other to share information about how to provide the safest and most rewarding environment for a particular child at risk. We should be moving away from that model, not running towards it.

This act I appreciate doesn't speak to that. But the attempts at streamlining and injecting best practice standards into the work that is done, that you see in this legislation, will be confounded by the policy objectives of this government that are articulated in the social policy framework unless somebody takes note that we're actually headed in two separate directions right now and that one of them is bound to fail. That's a problem that needs to be understood when you consider this piece of legislation.

The final thing that is addressed in this legislation – and the minister and I were just talking about it – is the issue of the publication ban. I appreciate that the minister is attempting to take a run at fixing a problem, a problem that's existed for a long time, a problem that has been unique in Alberta in terms of hiding the names of children who are the victims of fatalities and banning their family from speaking publicly about that experience. I do understand that it's not a black-and-white situation. There is a balancing act to be had. Oftentimes there are siblings who remain in care. Oftentimes the family itself doesn't have a consensus about how public they want an issue to be.

I think that as a starting point we need to ensure that children in care are respected and given the same rights and that their story is respected as much and told as much as the story of a child who is not in care. If we imagine that we had a child who somehow through accident or intention or neglect or through a series of tragic circumstances passed away, how would we want our child's story to be told? We want to ensure that we don't inadvertently create a different standard for a child that is in care that inadvertently systemically discriminates against that child and that child's story and the important telling of that story. If we don't talk about it, then we can't work to improve the situation.

I think that removing the publication ban or modifying the publication ban helps in that way. I am concerned that the system that the minister is proposing to put in place for implementing the amended publication ban may develop its own problems. With the ex parte application and the gross inequity in terms of access to justice that most people in Alberta experience, I'm a little worried that the actual implementation and the practice of the system that's included in this legislation may result in sort of a two-tiered level of access to a decision-maker on the issue of whether this child's story is told or not told.

I think, frankly, I'd like to see more discussion around this. I actually do believe, Mr. Speaker, that everyone is coming to the table with the best intentions on this issue, but I'm just not convinced that we've necessarily found the right answer. You'll be shocked to know that I don't actually think I have the right answer yet. It's rare that I'll admit that, but I'm not entirely clear what the right answer is. I think we need to have some discussions on it because I'm a little concerned that with the way the act is written right now, we may see some problems.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. I'll recognize the Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you very much, Mr. Speaker. I'm sure all members were enjoying the thorough analysis that the Member for

Edmonton-Strathcona was giving on Bill 11, so I was just wondering if she had any thoughts to add to what she's already shared and if she does have ideas on ways to improve this current legislation.

The Deputy Speaker: Let's ask her. The Member for Edmonton-Strathcona.

Ms Notley: Well, thank you, Mr. Speaker. You know, I think that it is really important that we not get ourselves into a situation where, for instance, we find a year from now that the ministry has in fact made an ex parte application in the case of every fatality. At this point it's not clear to me from the language in the legislation that we're going to be able to prevent that.

Now, one of the things that we were talking about when the minister and I were chatting is this whole issue of whether or not, in fact, because that section and the process for the ex parte application are in many cases subject to regulation, there might be some value to potentially amending this legislation to require the regulations to be developed after there's been discussion in an all-party committee to ensure that, really, every different scenario is worked through.

We all come to the table with an idea in our heads about the scenario we're trying to avoid, but there are always so many differing scenarios, differing objectives, differing agendas, so it's really important to talk through the many different scenarios that can be impacted by this legislation to make sure that we don't inadvertently bring in a system that will bring about an unintended consequence. So we are going to be looking into whether or not that might be an amendment that we can bring, that would allow for a more thorough discussion that allows for all different circumstances and achieving the kind of objective that we want for both these children and their families.

3:40

That's a general idea that I have, Mr. Speaker. Otherwise, I appreciate the opportunity to speak to this. I do think we are moving in the right direction. I think we need to make a few improvements. We'll be introducing two or three amendments, and we'll see where those end up. Of course, the big thing for me, again, is that the whole system needs to rest on a foundation of unequivocal trust in an independent, transparent oversight system, and we need to improve that vehicle in this province. It's started along the right path, but I think we can do better and put more faith into the role of the children's advocate, more resources, and a broader scope so that we can build on that foundation of independence and transparency when it comes to overseeing circumstances that we'd rather not ever have to look at but need to if we're going to prevent them in the future.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you.

There's still time under 29(2)(a).

Seeing none, I'll recognize the next speaker. The hon. Minister of Human Services to close debate.

Mr. Bhullar: Thank you very much, Mr. Speaker. Just a couple of remarks before I close the debate. You know, this legislation, I feel, is meant to promote a few different pieces for strengthening the child intervention system. First of all, it's accountability and transparency. As the discussion in the last couple of days has noted, many, many recommendations come forth. What this law will do is require government to respond to those recommendations and then have the quality council actually follow up to see if

recommendations have been acted upon. I think that's a very important step that needs to be done.

Further, Mr. Speaker, the system functions and deals with thousands and thousands of children on a given day. I think it's absolutely essential that the quality of the system itself, the quality of the services we provide be assessed, and I'm proud that the quality council will actually have a role in creating some quality assurance metrics that are measured so that we can ensure continuous improvement.

The internal reviews, Mr. Speaker, that are now going to be required I think are going to help create another mechanism for strong and robust change management processes. The annual reports that the director is going to be required to produce include numbers and statistics as well as numbers of serious injuries, serious incidents, and deaths and the recommendations and findings of the internal reviews that the director does.

Mr. Speaker, obviously, we've made changes to the publication ban, which I think is something that we heard very loudly about from a variety of different places, and, lastly, expanded the advocate's role to allow for the advocate to be able to investigate the death of a child who was not in care but may have been in care at any time in the previous two years before the child's death.

I think that these are all very strong changes that we've put forth in a very short period of time. As I've said very, very clearly from day one, perfection is an endless pursuit. We're far from it, but what we need to do is commit to progress and progressing on a regular and continuous basis. That's why, Mr. Speaker, I'll be the first one to say that this legislation is not the be-all, end-all, but this legislation is a very strong step towards greater progress, and it's embedding within the system more mechanisms and tools to allow for greater progress on a regular basis.

With that, I move to close debate.

The Deputy Speaker: Thank you.

[Motion carried; Bill 11 read a second time]

Bill 12
Statutes Amendment Act, 2014
(continued)

[Adjourned debate May 6: Ms Smith]

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

Ms Blakeman: Thanks very much, Mr. Speaker. I'm glad that I'm able to get an opportunity to speak to Bill 12 in second reading.

I'm just going to do a little bit of context first. We used to have a process called miscellaneous statutes in the Alberta Assembly. It required negotiation or consultation with opposition members, and there was a veto power that was involved so that if there was something that the opposition didn't like, then it was pulled from the miscellaneous statutes. But the other end of the deal was that there was no debate on it. I've noticed that we haven't seen miscellaneous statutes bills in the last two sittings we've had, but now we have this new animal. It walks like a miscellaneous statutes amendment act, talks like a miscellaneous statutes amendment act, but it's not called that. So, one, we don't get to pull things we don't like, but two, we get to debate to our heart's content.

Now, I will note that this bill was, I think, brought in yesterday, we had a briefing earlier this morning, and now we're debating it. This is not an inconsequential series of bills. The statutes part of it is that this bill is making changes to 14 different acts.

Now, another little historical moment here. We used to have such a thing where if there were more than two bills being amended in one bill, it was called an omnibus bill. And guess what? You got more debate time to talk about it because it's more complex. You're talking about the effect of more bills. That particular parliamentary process was eliminated during one of the many opportunities of government to cut debate time short, particularly debate time for members of the opposition. So in the same amount of time that I can debate, you know, a one-page bill, I now have to debate a 40-page bill that is amending 14 different acts, and they're quite different. That's the little historical vignette section.

Now, let me talk about what I like first, and then I'll talk about what I don't like. I'm really very happy and relieved and on behalf of a number of my constituents in the fabulous constituency of Edmonton-Centre grateful to see the movement under vital statistics to recognize the unique situation of individuals who are transgendered and to get rid of the old requirement that essentially required that somebody show up with their hospital surgery reports, which aren't easy to get, by the way. It's not as though when you check out of a hospital, they hand you a little detailed list of everything that happened to you.

What happened here was that someone who was partway through or fully through a gender change or gender transformation and wanted to get a new birth certificate, a new identification that said that they were now a different gender, was required to show up at vital statistics proving that they have gone completely through all of the surgeries. Now, depending on which way you're going here, you're going to learn a lot more than you wanted to, Mr. Speaker, but some of these operations are about seven operations for going one way and about 13 operations for going the other way. This is no small amount of surgery that's involved here, and it's supposed to take place over a long period of time.

Expecting that somebody is going to exist in this sort of identification limbo over an extended period of time and then be able to collect all the proof to turn up at vital statistics and say, "Okay; I can prove now that I am this other gender" made it nigh on impossible and was really unfair. I am very, very glad to see that what we now have in place is that on a case-by-case basis the birth certificates and marriage certificates will be reissued with the different gender on them.

3:50

A little bit of a quibble here in that there is no appeal process. So if for some reason the registrar is in a bad mood or whatever – you never know why these things happen – and doesn't grant the change in identification, there is no appeal process that's been built into this to allow someone to take it to a different level and ask for an explanation or to ask for it to be reviewed. But I am very glad to see it.

Just to put this in context, for any of us that have ever gone in, you know, to get your birth certificate renewed, just imagine if you went in there and somebody said: "Okay. Yeah, that's good. Just drop your shorts there and pull up your blouse just so we can verify which gender you are because that's how it's going to go on the birth certificate." Yes. I know. Eyebrows are raising across the Assembly. But that is essentially what we were requiring people who were transgendered to do in order to get identification, and that is completely beyond the pale. So very good on that one, gold stars even, except for the fact that there is no appeal process there.

The one other thing that's really important is the granting of drivers' licences because that, of course, is a really integral piece of identification that's used very frequently, and that one hasn't quite been resolved yet and is handled, I think, by a slightly

different area. If I could just give you a little shove over there on the other side to deal with the issue of changing the genders on drivers' licences, that would be a big help.

You know, Mr. Speaker, I think the very worst day I've ever had in this Assembly in the 17-plus years that I have served as an MLA was an afternoon in the early 2000s on which the microphone system had gone down and we had individual, old-fashioned microphones on our desk. We spent the entire afternoon debating the new Family Law Act, and I spent the whole afternoon bringing forward amendment after amendment after amendment that were going through all the sections of this new Family Law Act and trying to change the language from the specific language that was used – mother, father, husband, wife – to parent and spouse. I was voted down every single time for three hours. It was brutal. Nobody else helped me. Everybody else had a great long chat, moved around, had a good old time in here, and I, with a barely working microphone, plugged my way through it was like 20 or 40 different amendments to try and do the right thing.

Here we are more than 10 years later, and the government has finally done the right thing in recognizing that a parent is a parent is a parent, whether that parent is a man, whether that parent is a woman, whether that parent is a transgendered individual. They're a parent. They parent a child. That's what we should be recognizing, that for someone who is in a long-term, committed, steady, financial, involved relationship with another person, a spouse is a spouse is a spouse, and that is the way the language should be used. That's what we should have been doing 10 years ago, but, no, the government would not allow that to happen. They wouldn't recognize the work that I was trying to do, which would have saved them a lot of time and money over the 10 or more years. I think it was maybe 2002 or 2003 that I was doing this.

Nonetheless, we've now had the gender language straightened out in the Dower Act, the fatalities act, the Law of Property Act, the Marriage Act, and the Metis Settlements Act.

There was one other point on the fatalities act, but – I'm sorry – I'm just not remembering it off the top of my head. Anyway, thank you. Well, I don't really want to thank you, to be perfectly honest, because that was just such a gruelling day. It was hard to be the only person that was willing to do that. It was a brutal day. So I'm very glad to see the back of that one.

Now, I'm sorry that I can't remember the particular additional point around the fatalities act, but let me go back now to the stuff that I'm not quite as thrilled about. The first thing is the number of regulations that are in this bill. Increasingly we have these I used to call them shell bills; you know, like the shell game, where you move the peanut or the walnut underneath the turned-over shells and say: where is the peanut? But that's just not a good description. I think it's now the empty-box legislation. There's a name for it, there are sides for it, but when you open it up, there's nothing in the legislation that actually tells you what's supposed to be happening, and legislation should tell you the what: "What are we trying to do here? What's the big picture? What are the principles?" Then the regulations tell you the how, the small detail. But what the government has been doing in a lock-step march for the entire time I've been elected is to move the what into the regulations. So all you get are these very vague sentences about, "And the minister can make regulations to . . ." and then there are pages and pages and pages of what the minister can make regulations on.

Well, so what? Why do we care? Well, we care because it's not transparent. Regulations do not come back before the Assembly. We do not get to debate them. Nobody from the public or stakeholder groups or any elected member of this Assembly gets

to comment on them until they pop out the other end by way of the Internet or the websites and are published in the *Alberta Gazette*. That's it. It's just done. That is a lot of the meat of what is actually in bills these days. It's not written in this. It's written in the regs, and that's wrong because it isn't transparent. It's done off the books. It's unaccountable. We can't tell what was done. It's very hard for anybody, even elected members, to locate the regulations after the fact. It is an opaque process, and it is wrong, wrong, wrong on so many levels that I don't have the time to describe it. The government insists on doing this. I think they think they're being clever. Really, it is just a huge disservice to the people of Alberta.

In this bill we have the word "regulations" mentioned 40 times in 32 pages or 40 times across amendments that are being made to 14 different bills. You're starting to get a sense of how much is being dropped underneath what's happening and into these regulations, where it is very hard to find out what's going on. That's the first thing that I want to express great, great concern about.

I want to talk about charitable status. Now, this is an area that I know very well. I came out of that sector. I worked there for half my career, 17 years as an actor and an administrator of arts and not-for-profit organizations and now 17 years in the Assembly. I still know this sector pretty well. What's being done here is removing the words "audited financial statements."

So not-for-profits and charities have to show how they're spending money because they're spending money on behalf of the public. That's why you have a board of directors, to make sure they're there doing the right thing, and the money has to be transparent because they're getting a tax break in a lot of cases or special deals on property taxes or something because they are a not-for-profit or a charity. By the way, in the Charitable Fundraising Act it does not reference the Canada Revenue Agency's definition of charitable. It does not reference it at all. So be careful not to be misled by the word "charity" that is being used in this statute bill because it doesn't mean a charity with meaning under the CRA. It just means a group that's raising money for a good purpose. Let me put it that way.

So this is taking out the requirement for audits, and I think that's a mistake because they're also raising the limit. It used to be anything over \$25,000. Now it's anything over \$250,000, to which in a briefing this morning I said, "So you mean that United Way doesn't have to do a financial statement under this?" They said, "No, I don't think so; it says: over \$250,000." And I thought: "I don't think that's what we're supposed to be doing here. I don't think that's a good idea."

It may be that an organization will be required in other circumstances to . . . [Ms Blakeman's speaking time expired]

4:00

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available. The hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you, Mr. Speaker. Unfortunately, the Member for Edmonton-Centre was interrupted by the time, and I wish to hear the rest of her thought there.

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

Ms Blakeman: Thank you. There is no "charitable" meaning under the Canadian revenue association. There's been no limit given. I would expect it to be a limit of, you know, something reasonable: a million dollars, \$3 million, \$5 million. But unlimited?

You can have what's called a review. I'll tell you that for a lot of organizations that are small or tiny or even mid-sized – I mean, I ran a million dollar theatre company. A million dollars a year. Our audit – and we got half of it donated – still cost me \$8,000 cash. That's a lot of money.

You know, getting an official audit done is very expensive. It was a huge relief, I know, to a lot of not-for-profits to be able to do what's called a review. You got two volunteers from the public – they could be on your board but not the treasurer – who would go through and check to make sure that there was nothing funny going on and that things more or less seemed to add up and everything seemed to be recorded. They could sign off on it, and that was accepted to be as good as a fully audited financial statement. That is a very, very valuable thing to many groups. But I would tend to say that that should be a valuable thing for groups under a certain amount of money and that anyone over a certain amount of money should be doing a fully audited statement. I'm really struggling with this.

Of course, what I still continue to forget is that the charitable world is now out there slugging it out with the big guys. We're not talking about Boys and Girls Clubs and 4-Hs and a couple of little theatre companies and a wacky little art gallery and a soccer club. We're talking about those same groups competing with universities for fundraising, competing with hospitals for fundraising, competing with K to 12 schools for fundraising. You know, get your elbows up because this is a tough place to fight now.

I think we have to be very careful. A big part of this is the public's trust that what these charities are doing is above board. I'll tell you, having worked there – oh, my goodness – most of them are above board and work really hard, with very, very dedicated volunteers to assist them and very dedicated staff. But we do get some that get scammed. More and more what we're reading in the paper – and we all go, “Oh, no,” when we read it – is that, you know, treasurer of X skating club absconds with their entire kitty: a hundred thousand dollars gone. Well, why did the person steal the money? Gambling. Addicted to gambling, they used the money. Well, that should have been caught in some kind of a review or an audit. That should have been caught so that they weren't able to do it over an extended period of time. This is why you look at those kinds of amounts. That's a concern that I have in what I'm seeing in Bill 12.

I haven't had enough time to actually go through and compare in context a lot of the other things that I'm seeing. Some of them are pretty obvious. I don't know what's going on with the freehold minerals. I wonder if this harkens back to when the Auditor General pointed out several times to the government that they actually could not verify if they were collecting enough royalties because they couldn't verify what the companies were telling them they had actually produced. This, it seems to me, is going to make that process a little clearer so that the government can be assured that they are collecting royalties on exactly what has come out of the ground instead of some sort of loosey-goosey guesstimate. That's our money, and we need it.

I look forward to Committee of the Whole on this bill so I can have a bit more time to be able to have a look at the other sections of it and maybe bring forward some amendments. For that, I will ask in advance for the forgiveness of our ever-steady Parliamentary Counsel.

Thank you very much, Mr. Speaker.

The Deputy Speaker: Thank you.

There are still a few seconds left on 29(2)(a).

Seeing none, I'll recognize the next speaker, the hon. Member for Edmonton-Beverly-Clareview.

Mr. Bilous: Thank you very much, Mr. Speaker. It's my pleasure to rise and speak to Bill 12, the Statutes Amendment Act, 2014, which I find really fascinating. In my short two years here in the Legislature there have been very few omnibus bills, which I am thankful for because they deal with such a large amount of amendments and different statutes. I actually count that this amends 16 different acts. It is quite significant and challenging to try and go through and digest a bill of this magnitude within just a short couple of days, but I would like to go through it. There are some positive aspects to this bill, in my opinion. There are some questions that I have and some challenges as well.

You know, the first section that I'd like to talk about has to do with the Marriage Act. There's going to be a concurrent theme with some of my comments. Something that we've seen actually in the last couple of weeks is that when this current government takes a step in the right direction, it's because they are dragged by the public and often by the opposition to a more common-sense position or a position that they should have had to begin with. The concurrent theme: just yesterday when the government decided to put the ice on bills 9 and 10, that was definitely because they were dragged kicking and screaming by hundreds of thousands of Albertans and many opposition members to that position.

When we look at the Marriage Act and changes that specifically refer to gender in marriage and partnerships, you know, I applaud the PC government for joining the rest of the country in the 21st century as far as making these changes. We've been waiting patiently for some time. I believe Alberta is one of the last jurisdictions to make these changes, and again it's not the first time that we're the last province to get with the program. The changes made to the Marriage Act include the complete repeal of the current preamble, which specifically refers to the idea of marriage between opposite genders and its purity. No new preamble is being inserted, which I think is probably the best way to go. Again, this should have been done a long time ago.

I think it's worth mentioning, though, Mr. Speaker, that these changes are positive and a positive step, but my gut feeling is that the government was dragged to this position. Let's not forget that the decision made by many of the PC caucus members to vote with the Wildrose against Motion 503 resulted in a considerable amount of public backlash. This vote was merely a couple of weeks ago. I don't know if that was what precipitated the government to make these amendments.

You know, we've been advocating for these changes for years and years along with the Member for Edmonton-Centre, as she recently shared with members of this House. Marriage equity is something that we strongly believe in. I don't know if it's a combination of public shaming. I'm not sure if it's the fact that the government is failing in the polls after making some brutal attacks on our public-sector workers, the labour sector, public-sector pensions. I don't know if this is a desperate attempt to patch a leaky ship or what they're doing. Regardless, we welcome the fact that these changes are finally being introduced.

Under the Health Information Act, a lot is left to regulations, which makes me a little nervous, Mr. Speaker. That's one of the concerns that I have. The change as far as making sure that when breaches occur within the Health Information Act, those who are impacted are going to be made aware is something that seems common sense. Again, it should have probably been brought in a long time ago, but that's a positive step. As well, providing information to the Privacy Commissioner and the minister is important as they need to be aware of weaknesses on a systemic level so that if changes are needed, they can be brought in.

4:10

Previously, as many members probably know, the release of public notification that private data had been breached was forbidden under the Health Information Act. We were one of the few provinces that didn't mandate disclosure of a breach of health information to those affected, which I think was an oversight from day one. I think that's a step in the right direction, again keeping in mind, Mr. Speaker, that prevention is always the best route to go as opposed to dealing with complications or data breaches. We would like to see a focus on investing and empowering the Information and Privacy Commissioner to ensure that compliance is occurring before a breach, not afterwards. Again, you know, chasing after is like closing the doors to the barn after the horses are out. The Privacy Commissioner's office needs to have the resources to make sure that they can stay on top of that.

As far as vital statistics and birth certificate changes, this is something that I think was a long time coming. A recent court ruling that a woman's Charter rights were violated when she was denied a new birth certificate that accurately reflected her gender switch made the changes to this act inevitable. I can't give too much credit to the government because, really, they were forced to do this by the courts, as opposed to leading by example, once again dragging their heels.

The change to vital statistics, birth certificate changes, is going to be again based on regulations that have yet to be developed. This is a concern. I mean, we want to make sure that the regulations make obtaining new identification records as easy as possible. So I think it's important to note that proof of surgery or gender cannot be included in regulations for obtaining a change of gender in identification, obviously, as this allows for unnecessary discrimination.

Moving to the Regional Health Authorities Act, another concern that I have, Mr. Speaker, is that the government is opening the door for the elimination of health advisory councils and possibly replacing them with unidentified bodies. Now, health advisory councils have been a good tool for raising and recording concerns that Albertans have, so this does allow that Albertans have a say in the standard of care that they receive. Changes to this piece of legislation allow for the minister to review the annual budget of the AHS as well as give directions regarding the form and content of this budget.

Regarding the Societies Act, the idea of continuance in the abilities for societies founded outside of Alberta to incorporate within provincial borders, at the moment societies must disband, move their operations and finances to Alberta if they want to move between provincial jurisdictions and incorporate here. Now this change is supposedly going to encourage the set-up of more societies within the province of Alberta. This is something that was actively encouraged and lobbied for by the Muttart Foundation and the Alberta law institute.

As far as the change to the Government Organization Act, this is a change to who is eligible to hold deputy posts and enacted by the delegation powers that are given from the Justice department. I mean, this change ensures that the position of Deputy Attorney General is held by someone with proper qualities and expectations, which I think is a positive thing, Mr. Speaker.

When we look at mineral rights, again, I haven't had an opportunity to thoroughly go through this, so we'll continue to look at this section of the act.

My only concern is that we may be rushing through this without a proper analysis, especially when we look at mineral rights.

As far as the charities act, again, the current legislation mandates that charities file an audited financial statement with the

province. Alberta is, as many members probably know, one of the only provinces who require the filing of a separate provincial statement. These changes will affect charities raising over \$250,000 a year. Instead, a financial information return will be signed between two board directors. You know, there are questions and concerns around how this is going to affect smaller charities within the province or those who aren't capable of raising up to \$250,000.

I think it's important to note as well, Mr. Speaker, that if we wanted to make amendments that would benefit smaller charities, then we should look at the gambling hours within the province. There are many not-for-profits and smaller charities that are quite concerned with how they're going to find volunteers to staff, say, casinos, which for many organizations is their major fundraiser every two years. If we want to look at helping smaller charities, then I think that the hours of casinos, that have recently changed, is actually going in the opposite direction as far as helping smaller charities.

With that, Mr. Speaker, I will conclude. Again, there are some positive changes in this amendment act but, again, concerns when we have so many different acts affected within one bill. It means that there is very little time to thoroughly go through this and to have a completely fulsome discussion. With that, I look forward to hearing from other members of the House and discussion and debate in Committee of the Whole.

Thank you, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, are there other speakers? The hon. Member for Edmonton-Strathcona.

Ms Notley: Yes. Well, I know that it's trying people's patience for us to get up and speak to this, you know, but here's the thing. This bill has – where is that darn bill? I've got it in here somewhere.

Mr. Bilous: Did you find it?

Ms Notley: Yeah, I did. It's 33 pages long. As previous speakers have pointed out, it amends between 13 and 16 pieces of legislation, and we were briefed on this bill this morning. I have to say that this is not the kind of thing that we typically expect to have going through in a miscellaneous statutes amendment act because there really is a lot here. Typically you would want to have a chance to review this in a fulsome way before you say: "Yeah. Okay. This is just almost meaningless administrative stuff that has no substantive policy change included in it." Rather, these are sort of consequential amendments as a result of other pieces of legislation, and it won't change how we do things. That's how we can get away with throwing everything together and then dumping a 33-page bill onto the opposition at 11:30 this morning and then expecting us to be able to come in here on the basis of good faith and vote it all through without really questioning it or analyzing it.

I have to say that I'm very frustrated by this process because this is not the way we're supposed to do miscellaneous statutes amendment acts, nor are we supposed to do any piece of legislation with this little notice. We are entirely relying on the comprehensiveness and the straightforwardness and the transparency of the briefing that we received today. We'd love to be able to do that all the time, but when we were debating Bill 10, in the course of that we discovered – I mean, that was a piece of legislation amending pensions, and one of the things people said to us was: "Well, you know, it's not really that big of a change. The big changes were really made when we brought out the piece

of legislation that this bill amends a couple of years ago.” Then we looked through what it was that we were told about that bill back then, and it was like: “Oh, this is a minor little change, inconsequential amendments as a result of TILMA. Don’t worry about it. There’s nothing substantive in that.” It was only once we rolled up our sleeves and started reading through that that we realized that bill fundamentally changed the private-sector pension structure in the province.

4:20

The fact of the matter is that the government doesn’t actually have a superawesome record, Mr. Speaker, of being entirely forthright in terms of what we hear about in these briefings. Sometimes we get great briefings; sometimes we do not. So it’s our due diligence that we need to exercise to review this stuff on our own and make sure that the bill does what the government says that it’s doing. But it’s a little hard to review a 33-page bill when we get a briefing at 11:30 today and we’re in question period at 1:30. And we’re expected to debate and vote on it immediately following question period.

I have to say that this is kind of inappropriate, this whole thing. You know, there was lots of time to bring this forward. It could have been introduced before the break. We’ve had two breaks. It could have been introduced before either one of those breaks so we’d have had the time to look through it and feel confident that we were voting on what we’re being told we’re voting on. On that basis alone I can’t support this because I simply haven’t had enough time to review it in the detail that I think I should review it before I vote one way or the other. That’s all there is to it. I have a responsibility to my constituents, and quite frankly, I cannot dispense this responsibility in a way that I can be proud of in the 45 minutes that I’ve had to scan through this.

That being said, what does the bill do? Well, the Member for Edmonton-Centre has talked at some length about the changes to the Charitable Fund-raising Act and the observations she had with respect to what those changes meant. We see changes to the Freehold Mineral Rights Tax Act which allow the government more time to assess and reassess the tax that a person may owe, I guess, for an audit. That is going from four years to five and a half years. I’m not exactly sure where that five and a half years came from. I’m not sure what the rationale of that is. I would love to be able to consult.

Ms Blakeman: Isn’t that weird?

Ms Notley: It’s kind of odd. It’s like we’re almost sort of dealing with one particular case here or something. That’s what I’m wondering about. But no one’s really telling us that. I’d love to be able to talk to the stakeholders, the freehold mineral rights owners, but again, this was given to me today at 11:30, and the government seems to think that it’s appropriate to ask us to vote on this today. You know, I don’t know what to say about that. I honestly don’t think we have time to track those people down that quickly.

The Government Organization Act talks about separating the role of the Deputy Attorney General and the Deputy Minister of Justice. That does not seem like a particularly difficult thing. That seems to be a structure that we see in other provinces. I’m all right with that one.

I’m a little worried about the changes to the definition of the awards that arise as a result of trade disputes under TILMA because, of course, anything that happens under TILMA is worrisome because it’s all about this government handing over governance authority to other jurisdictions and ultimately to

multijurisdictional corporations that have certain rights under these trade agreements and then expanding their ability to assert their rights over that of the citizens and the elected democratic governments of the provinces in which they do business. I’d like to know a little bit more about why we had to change the definition of awards. I’d like to know what awards were not securable through the filing of a Queen’s Bench certificate. I’d like to know what problem it is that we’re trying to fix through this change in definition. Yet I didn’t get that explanation, so I’m certainly hoping that when he closes debate, the minister will give me an answer to that question. What is the problem that we’re fixing with the change to the definition of awards under the Government Organization Act?

Then we go into the Health Information Act. Well, with that one I think we know what problem that’s trying to fix. It’s mostly trying to fix the embarrassing – I don’t know exactly who it was embarrassing for, but certainly the Health minister didn’t seem to know about some fairly major disclosures of personal health information. Then, if I recall correctly, he tried not so indirectly to blame the Privacy Commissioner, only to discover that the Privacy Commissioner was following the law and not actually able to disclose the information to the minister . . .

Ms Blakeman: They publicly dissed her.

Ms Notley: . . . and then, as the Member for Edmonton-Centre said, publicly dissed the privacy officer, which was quite inappropriate. So this is actually, I suppose, the appropriate response to that situation in that we changed the legislation so that the minister can be informed. You might want to accompany that with an apology to the Privacy Commissioner for suggesting that somehow she wasn’t doing her job by following the legislation to which she is subject. Anyway, that is that.

Then we have a change to the Interpretation Act. Again, this adds an additional clause to the powers in the name of office section that allows the minister to delegate authority to someone acting on their behalf. Again, I just want to know: what problem are we fixing here? What’s the problem that we’re fixing? Why do we need to do this? A simple explanation would help us figure out whether this was something we should support or not support. Or are there other consequences to it?

The Mines and Minerals Act. Now, that one, you know, worries me because what we’re doing here is that we’re giving additional regulation-making powers to the government, and this is about how the government charges royalties for our greatest resource, royalties that I would argue we have (a) not been collecting adequately for years and (b) have not set high enough even if we could collect them adequately. In either case, what this does is give more regulatory authority to the government, maybe to collect more, maybe to give more to their friends. I don’t know.

Again, it’s absolutely impossible for me to wade through the changes that are being made here in relation to the Mines and Minerals Act and the energy statutes amendment act to figure out what it is that they are giving themselves the authority to do here, and I, quite frankly, would like a briefing on what exactly this is going to do. I would like the government, the Minister of Energy to come in here and explain to me what it is that these changes are going to allow them to do that can’t be done now and what other consequences may arise as a result of these changes. This is how we function in this House. You give a briefing to the Assembly. You don’t dump a 30-page piece of legislation on them and give them two hours to review it. We’re told: “Oh. It’s just administrative changes.” That’s not good enough. There is

presumably a reason for it, and presumably someone ought to be able to give us the explanation for that change.

The Regional Health Authorities Act. It gives the Health minister the power to approve the AHS budget every year. I'm just curious. I thought the minister already did approve the AHS budget every year. Maybe not. I'm not sure. The AHS was just doing their own budget without the minister approving it? That's interesting. Well, in that sense I'm not unhappy with this because I think that I would like for there to be more accountability and more control over AHS. I think that's a fairly standard message that we have given to the government. I find it interesting that the minister has not in the past had the ability to have a yea or nay over that budget. Interesting.

It then, of course, brings into question why it is that AHS is a separate body that has the authority to pay its staff – I don't know – 180 per cent, 200 per cent more than people who work directly for the public service. So if the minister is approving the budget, which is not an unreasonable thing, it begs the question that the leader of the NDP caucus has raised in the past: why is AHS a separate body altogether? Anyway.

The Vital Statistics Act. Now, the Member for Edmonton-Centre has done a good job of describing why it is that we needed to get moving on this and that it is long overdue and a good thing, so we're all in favour of that. That's all I have to say on it. It's good. Yay.

4:30

The Adult Interdependent Relationships Act, the Dower Act, the Fatality Inquiries Act, the Law of Property Act, the Marriage Act, the Metis Settlements Act all seem to be related to changing gender references and the definition of spouse, so those are good things. Those are fairly easy to figure out what's going on there. Of course, we're quite happy to see those changes being made and support those completely. That's my review at this point.

I have some outstanding questions, as I've outlined. I remain unhappy about the amount of time that we've been given to review this given its length and its depth. I'm certainly hoping that we can get more information on what is happening with respect to the Freehold Mineral Rights Tax Act, the Government Organization Act, and the Mines and Minerals Act. I think those are the main ones that I am most curious about.

Thank you very much, Mr. Speaker.

The Deputy Speaker: Thank you, hon. member.

Standing Order 29(2)(a) is available.

Seeing none, I'll recognize the hon. Minister of Health.

Mr. Horne: Thank you very much, Mr. Speaker. I'll be very brief. I just wanted to respond in second reading to a point raised by the hon. Member for Edmonton-Strathcona with respect to an amendment to the Regional Health Authorities Act, that is proposed as part of Bill 12, and that is with respect to the budget of Alberta Health Services. First of all, thank you to the hon. member for her expression of support for the amendment.

The reason the amendment is required is that under the current Regional Health Authorities Act, Mr. Speaker, there is provision for the minister to approve the health plan that's developed by the health authority but not the budget that is associated with the health plan, that provides the resources to deliver that. The current process is for the government in its estimates to provide, in the case of this ministry, for Alberta Health Services an overall allocation. Since we have moved to the single health authority for the province, of course, the number involved in that total budget has increased dramatically. Today's budget for Alberta Health

Services stands at about \$13 billion. So the intent of the amendment is to provide for, first of all, greater accountability for an expenditure of that magnitude, to allow the minister to look at the resources that are associated with the health plan, and to help him provide some opportunity to ask questions and some oversight to ensure that those financial resources can deliver on that plan.

The second reason for the amendment is something that I alluded to in estimates in Budget 2014 very recently, and that is that we are working with Alberta Health Services to change the structure of the budget. We are today, much as we were in the mid-1990s, providing a global budget to Alberta Health Services to deliver care. Many members on all sides of this House have expressed concern about the processes, or lack of processes, in place to make sure that the funding is actually going to the programs and services for which it's intended and that it's delivering on those outcomes.

If we were to take mental health, Mr. Speaker, as one example of an area where we might want to ensure that the funding that's allocated for mental health actually goes there, one of the things that this amendment will allow us to do is to work with AHS to develop an envelope-type approach to their funding. Services such as mental health and continuing care would be set out – and, again, we have yet to complete this work – or potentially could be set out as budgets within the total budget of AHS. That would allow us to track those dollars to ensure that they go to the areas that they're intended for and that they're not taken up in other, larger areas of the budget such as acute care, which is a huge part of the Alberta Health Services budget. So that's the rationale for this particular amendment.

I thank the hon. member for her support of it, and I hope others in the House will express similar support. Thank you.

The Deputy Speaker: Thank you, hon. minister.

Standing Order 29(2)(a) is available.

Seeing none, I'll look for the next speaker.

Seeing none, I'll invite the hon. Minister of ESRD to close debate.

Mr. Campbell: Agreed. I'll close debate, Mr. Speaker.

[Motion carried; Bill 12 read a second time]

Government Bills and Orders Committee of the Whole

[Mr. Rogers in the chair]

The Chair: Hon. members, I'll call the Committee of the Whole to order.

Bill 11 Child, Youth and Family Enhancement Amendment Act, 2014

The Chair: I'll recognize the hon. Minister of Human Services.

Mr. Bhullar: Thank you very much, Mr. Chairman. I would like to propose an additional amendment that will further increase transparency and accountability in the child intervention system. This particular amendment will require, quite simply, that the responses from fatality inquiries as they relate to Human Services also need to be posted and, therefore, tracked as we are doing with the Child and Youth Advocate's recommendations. Recommendations coming out of fatality inquiries also need to be tracked and the responses need to be made public, and then the quality council

will be following up on those as well. This is simply to add fatality inquiries to this. Then it allows for a regulation-making authority to add more specific reports if needed.

The reason I'm doing that now, Mr. Chairman, is because the Fatality Inquiries Act is being reviewed, and there's potential for a pediatric death review committee to be established. So if there are ever recommendations that come out of either of these two changes, I would like those recommendations as they relate to the child intervention system to also be tracked. I would also like us to have to respond to them and then for the quality council to check on the completion of them.

Thank you, Mr. Chairman.

The Chair: The hon. minister has put amendment A1 on the floor. I'm just waiting to make sure that everyone has a copy of amendment A1.

I think we're just about there. I'll recognize the hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Chair. First of all, I want to start off with saying that it is really refreshing to see a minister actually proceed with exactly what he said he was going to do in January and start the process for more openness and transparency. The reality of it is that every single person in this House wants children in care to be well cared for. I don't think any of us want to experience what we saw last year, when the previous minister appeared not to be fully transparent on how many children had died in care. I don't think any of us really want another process where it appears that people have to fight in the courts to actually get the information that every single Albertan should know.

I have seen this amendment ahead of time, and once again I would also like to thank the minister for engaging with the opposition and trying to find ways to work with us to find areas of agreement. I hope he's as agreeable when I present my amendments, but I look forward to that conversation, too. I appreciate this amendment, and I think that anything we can do as legislators to make the system appear to be and actually be more transparent is a good first step.

One of the things we did hear at the round-table – and I'm sure my colleagues from the other two parties will comment as well – was the idea that it needs to be broader, that there needs to be a real effort to make sure that anybody who is engaging with those who deal with children in care should be held to the same standards and that those areas should be talking.

I'm pleased to support this amendment. Thank you, Minister, for bringing it forward. I am pleased to see that this extends to the Fatality Inquiries Act.

Thank you.

4:40

The Chair: Thank you.

Are there other speakers to the amendment?

Seeing none, we'll call the question.

[Motion on amendment A1 carried]

The Chair: Now, speaking to the bill, the hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Okay. So I have an amendment here as well. I'll give you the first part, and I'll just wait a moment.

The Chair: We'll just pause for a moment, please.

Hon. members, this will be referred to as amendment A2.

I think you can proceed, hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Chair. I see this amendment more as a qualifying factor that makes it so that those people who are having input into the process actually have some expertise or some knowledge in the area of which they speak.

Right now under section 8 in proposed section 105.771(2) we would like to add a subsection (c), which says: "an individual with demonstrable expertise in child intervention." One of the things that we feel very strongly about is the person that has input into the system or feedback into the system over and above the other two areas. Right now it is

(a) an individual employed in the public service of the Province, or

(b) an individual to whom the director has delegated authority under section 121(3).

But there should be a third factor in there that basically says that the person should have some sort of expertise in child intervention. This adds clarity to the system. This adds a qualifying factor that says that there is somebody on the team who has that kind of expertise. Then the report mechanism has just a little bit more teeth to it.

I look forward to all the members of this House supporting this amendment, and I'll leave it at that. Thank you.

The Chair: On amendment A2, I'll recognize the Member for Edmonton-Centre.

Ms Blakeman: Okay. So, Member, what you're suggesting, then, is that a director can in writing designate individuals to review incidents that have given rise to serious injury of a child who was receiving intervention services or another incident that was serious. The person must be employed in the public service of the province or be someone that the director has delegated authority to or someone with demonstrable expertise in child intervention. Okay. How is that person different from the one that is designated in subsection (a), which is an individual employed in the public service? I guess you're assuming here that someone that's employed in the public service doesn't necessarily have child intervention skills. Okay. Is this language that's being used language that is commonly found in the act?

Mrs. Towle: It's not commonly found in the act but common amongst those who work in the system.

Ms Blakeman: Okay. It's not found in the act, but it is commonly used by people that are working in the system. Hmm. Okay. I'm certainly willing to support that. It seems like a reasonable thing to do, to have someone that knows what they're doing. Great. Thanks.

The Chair: Thank you.

Are there others to speak on the amendment? The hon. Minister of Human Services.

Mr. Bhullar: Thank you, Mr. Chair. I appreciate the member's motivation in doing this. There's one challenge that I see with it, and that's that in some particular cases, in some types of reviews, you may want somebody with expertise in a different field conducting that review. For example, if there is an issue with medications, we may want a doctor, perhaps, or somebody with extensive experience heading up that review, and the same can be true for a variety of other challenges; for example, mental health challenges and the like. For that reason, although I appreciate what the member is trying to get at here, I don't think that limiting it to that will accomplish what we're seeking. I therefore oppose the amendment.

The Chair: Hon. Member for Edmonton-Strathcona, did you rise?

Ms Notley: I did. I guess the concern that I have – and I understand the objective that the member is trying to achieve. However, it appears to me that what we're doing is that we are adding "or" at the end of clause (b) and adding

(c) an individual with demonstrable expertise in child intervention

as opposed to:

(a) an individual employed . . . or

(b) an individual to whom the director has delegated . . .

Presumably, it would be adding "and" at the end of clause (b) and then

(c) an individual with demonstrable expertise . . .

I'm not sure why we would allow for there to be a public-sector employee who perhaps up to now has been, you know, working in oil and gas suddenly reviewing these files or why we would have somebody being delegated by the government who doesn't actually have expertise in these areas and then having someone who has expertise being one option of three options, which is the way it reads right now in your amendment.

I like your objective because what you want to do is make sure that this person has some kind of demonstrable expertise in child intervention, but I would think that that would be the case regardless and that you would want that to be a criteria if they are a public-sector employee or if they are a delegate. In the way it's written right now, it almost implies that the first two categories might not be someone with a demonstrable expertise in child protection. So that would be why I would have some concerns about it. Maybe you could answer my question. Perhaps I'm interpreting it incorrectly or reading it incorrectly, or maybe you have a different objective.

The Chair: Thank you, hon. member.

The hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Chair. I appreciate the comments from Edmonton-Strathcona and also the comments from the minister.

I actually was worried that perhaps the first two criteria could be somebody with no demonstrable expertise in child intervention. I know it would not be the intention of any ministry or any government official to put someone on there who maybe doesn't know the full scope, so that's why I didn't put it on as an "or." I put it on as a "must." They have to have "an individual with demonstrable expertise in child intervention." So I struck out the "or" and put it in there as "an individual with demonstrable expertise in child intervention." Everybody is shaking their head no at me, so I apologize.

Mr. Wilson: That's not how it reads.

Mrs. Towle: Okay. Fair enough. It's possible that I misinterpreted that, so I'll actually withdraw the amendment.

The Chair: Well, we'll probably have to vote on it. We'll just vote on it, hon. member.

I recognize the hon. Minister of Aboriginal Relations.

4:50

Mr. Oberle: Yeah. Mr. Chair, I'm a little bit confused on the intent of the amendment. If it is that at every step of the way we provide compassionate and caring and experienced and knowledgeable people, I recognize the intent, but it's an odd application of that in this clause, which might require that you would want, for example, to appoint a justice to review. You

might want to do that given the circumstances of a particular case. Finding a justice who had experience in child intervention might be a tall order, but if there were legal matters involved, a justice might be well suited for the position.

I get the intent that at every step of the way the children in the system and their best interests are always looked out for by people who have experience and who are caring and compassionate, all of those things, but in this particular case I can envision a case where you'd want a justice, for example, to be appointed to review. You're not appointing somebody to intervene; you're appointing somebody to review. It could be a legal matter.

That's all I have to say, Mr. Chair.

The Chair: Thank you, hon. minister.

Hon. Member for Calgary-Shaw, did you wish to speak?

Mr. Wilson: Yes. Thank you, Mr. Chair. Just in addressing the concerns the Minister of Human Services brought up with regard to this amendment, I think that it allows for what you were referring to because it doesn't actually say "and" in the amendment. By adding (c), it wouldn't be: and requires demonstrable experience in the child intervention system. It's an "or." It just gives you a third option of an individual that could be designated as someone to review. I'm wondering if perhaps you could comment on that.

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

Ms Blakeman: Yeah. I think we're getting a bit wrapped up in this one, because it's specifically general and generally specific. It's really saying that there's going to be a review, talks about that, and says that a director may, not "must," in writing, designate individuals. It does not name the number. It could be any number that the director wishes to put in place. It describes what they're supposed to be doing in an incident where there's a serious injury and then talks about: a designated individual must be in the public service or the director's delegated authority under section 121(3) or someone with direct child intervention.

The justice that the minister was talking about can easily be accomplished under 2(b). The individual that was being discussed by the minister of aboriginal affairs, you know, might be the person that's described under subsection (a). So none of these have to be the same person. They can all have different skills that they're bringing to the table. There is enough leeway there to solve having a diverse gathering of people under those designations. I think that if we take just a step back, we're still okay here.

Then the third section: "A designated individual must provide the director with a report of the designated individual's findings and recommendations, if any, arising from a review." You could have one or all of them or, I suppose, none of them doing the review. I think we're actually okay there.

The Chair: Are there others? The hon. Member for Edmonton-Strathcona.

Ms Notley: Yeah. Well, I think that ultimately one can go either way because in the way it's written, it doesn't preclude this person having demonstrable experience or expertise, nor does it require it. You know, it can adjust to the situation. Of course, the point that I would simply make is that this fabulous little internal review process continues to be internal and never sees the light of day, which, to go back to my central theme, is why on its own this doesn't deal with the larger issue around independence and transparency although it may assist somewhat in internal best-

practice management. But we continue to have a problem with that independence and that transparency.

That being said, the intent of the amendment is certainly a reasonable one, so we're happy to support it.

The Chair: Thank you.

Are there other speakers?

Seeing none, I'll call the question on amendment A2.

[Motion on amendment A2 lost]

The Chair: We're back to the bill. The hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Chair. I do apologize. This is my first bill, so if I'm nervous – and I am nervous; I will admit that. I'm incredibly nervous, actually. It's such an important bill, and I can understand the passion of getting it right, so I apologize if I'm not always as articulate as I should be.

My second amendment is here, and I'll just pause for a moment while it gets distributed.

The Chair: We'll refer to this one as A3, hon. members.

You may proceed, hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Chair. This amendment moves that in section 8 in the proposed section 105.771(3) we would add in "and the director must make the report public within 3 months" after subsection (1). Right now subsection (3) says, "A designated individual must provide the director with a report of the designated individual's findings and recommendations, if any, arising from a review under subsection (1)," which right now refers to an annual report. We would like to see the reports actually given quarterly rather than annually. We believe that this provides for more openness and transparency.

It also allows for anybody wanting to find out more information with regard to any of the reports or the recommendations to be able to do it in a three-month batch versus a year batch. If there are any issues or recommendations to maybe be followed up on or that need to be questioned or that they need to be held accountable on, it makes sure that that information is public a lot sooner and gives a clear motivation of appearing to be open and transparent.

We heard very clearly from people who are involved in the child care intervention system. A lot of them have expressed that sometimes by the time the information gets to them, a year later sometimes is too late to make changes. By providing the reports and the recommendations quarterly, it would allow the government to act sooner and also allow all of us on the other side to help them with that process and also bring to light systemic issues in a faster motion than what we've seen in the past.

I would appreciate the support of this House in having those reports reported on every three months rather than annually.

The Chair: Thank you.

Okay. I'll recognize the Member for Edmonton-Strathcona.

Ms Notley: Well, thank you very much. I thank the Member for Innisfail-Sylvan Lake for bringing forward this amendment. I think this really, in many respects, highlights one of the points that our caucus has been making about the problems in this bill already, that although this may provide a bit of infrastructure for increased best practice within the ministry, it has not, as far as I can tell, ever been the intention of the government that the reports that are referred to in section 8 ever be made public. They're intended to be internal reports for internal practice review improvements, but they are not intended to be made public.

Moreover, quite honestly, even if they were made public, well, then what we would have done is that we would have created a parallel situation where we've now got reports and investigations being done by people who report to and through the minister at the same time that we've got an independent children's advocate, who we made an independent officer of the Legislature for the sole purpose of ensuring that they didn't have their investigations controlled by the minister's office. So then we end up with a parallel process.

5:00

This really gets to, as I said, the heart of our concern with this bill in that we've still not fixed the fact that only a small, small fraction of these fatalities or serious incidents or injuries are ever thoroughly investigated by someone who is (a) independent and (b) going to publicly report on the outcome of that investigation. We've got this lovely piece of legislation, but we will continue to be in this situation where roughly 20 per cent of fatalities are ever publicly reported on. In my view, that's not getting to what it is we need to do to truly develop the social and community consensus to make the changes that need to be made to prevent these kinds of injuries and fatalities in the future. That is why we think that, by all means, have these internal processes but understand them for what they are. They're internal processes designed to be best-practice promoters inside the ministry, but no one ever expects for them to be made public.

If your concern is about enhancing public accountability, transparency, social consensus, community consensus, then we need to go to a different platform. That is why our caucus has been saying that that platform has to be the children's advocate's office. Not only is that public, but it's also independent. It's really important that those two things go hand in hand, not just that the report is made public but that the report is written by someone who is truly independent.

Some members in the House may know this, but others may not because it was really fully discussed and clarified in the meeting of the Legislative Offices Committee last November when we talked about what it is the children's advocate is currently able to do. At that time we went over the numbers with him, and he told us that in 2012-2013 there were 20 cases that were reported to him and only four of those proceeded to a full investigative review. He indicated that based on his resources, what he has to do is that when a report is sent to him, he needs to come up with what he referred to as a differentiated response. In my view, that's sort of another way of saying triage. He went through, and he triaged and screened the cases to decide which ones of those would go to what he referred to as an initial assessment mode. He did that triage on the basis of a one-page document that was provided by the Chief Medical Examiner.

Just for the people that are following this debate, in the November 29, 2013, *Hansard* for the Leg. Offices Committee you'll find that discussion. He said that basically he gets a snapshot, a one-page document, from the Chief Medical Examiner, and then based on that, he triages and says: maybe in this case I'm going to do an initial assessment. Now, that initial assessment itself is not a full-blown investigation. He just gets a staff person to make a few more inquiries. After he's got the initial assessment, then he goes on to decide which one of those will be an investigation. In 2012-13, as I said, 4 of 20 were investigated.

The fact of the matter is that our position is that he is not being provided with adequate information up front to make that decision, nor is he being provided adequate resources to do all the investigations that we think he should do. That's why our position has been all along that he should just do all investigations at least

for a two- or three-year period, and at that point perhaps we can review whether that continues to be necessary.

That's where it should happen because that's the person we fought so hard to get in place, who is independent, who does not report to the minister, who does not report through the PAO, who does not have professional and political communications staff from the Premier's office massaging the timing and the process of the report release and/or content. That's why we needed to have it separate. That's where I think those kinds of reports should occur and those kinds of investigations should occur.

Right now 4 out of 20 ain't good enough. Four out of 20 is just not enough. What we've just done is that we've expanded his mandate, which is good news, but what that means now is that instead of 20, he's probably going to have 40. So then the question is: how does he decide which ones to investigate?

Ms Blakeman: That's limited by budget.

Ms Notley: The issue is both limited by budget as well as being limited by the nature of the information that he gets presented to him for his screening process. Although he is funded as a Leg. Offices person, he is governed by an act, one of which we are in the process of amending through this piece of legislation. We could amend this piece of legislation so that when it amends his legislation, which it's already doing, it tells him he has to do every report. Then the Leg. Offices Committee is compelled to give him the resources for him to fulfill his obligations under the statute. Anyway, that is our position all along.

All that being said, I absolutely respect and support the objectives that I think the Member for Innisfail-Sylvan Lake is trying to achieve through her amendment. My concern is that what she's trying to do, really, with all the greatest of intentions – she's taking a broken old car and kind of putting a new tire on it. In fact, we actually have a Cadillac over here, and if we just put gas in it, that'd probably be the best way to go instead of trying to fix this little tricycle over here. This remains the tricycle in this rather tortured analogy because it's not independent. It is still someone that works for the ministry.

That being said – and I've said this in second reading – absolutely, internally the ministry needs to clarify and solidify its own internal processes so that it meets its own goals and standards. It's not necessarily the case that you always do that by statute, but that's what appears to be happening here, and perhaps in this ministry that's necessary. I'm not opposed to this as an internal practice improvement strategy. It's just not the thing that's going to get us to the other piece, which is so necessary, which is independence and transparency. I hope that made some sense.

The Chair: Thank you, hon. member.

Are there others?

Seeing none, I'll call the question on amendment A3.

[Motion on amendment A3 lost]

The Chair: We're back to the bill. The hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Chairman. My next amendment has to do with section 16. I'll just wait until it's passed out.

The Chair: Okay. For the record, hon. members, this will be amendment A4.

Please proceed, hon. member.

Mrs. Towle: Thank you, Mr. Chairman. I'm pleased to rise and talk about amendment A4, where I would like to suggest that there be an amendment in section 16 in the proposed section 126.3(2) by striking out "ex parte." The current legislation says:

... may make an ex parte application in accordance with the regulations to the Court for an order that no person shall publish, in a manner that reveals that the deceased child received intervention services, the name or a photograph of the deceased child, of any parent or guardian of the deceased child or of any other individual identified in the order.

I completely understand the intent of this. The intent is to protect families who do not want to have their loved one's name or photo or anything like that made public and that they should have the ability to go to the courts and do that and not have to have a battle. I can share that same concern. However, my concern with this part of the legislation is that what we heard very clearly when all of this sort of went to the round-tables in January . . .

5:10

The Chair: Hon. members, if you could keep the side conversations down just a wee bit, it'd be much appreciated. Thank you.

Please proceed, hon. member.

Mrs. Towle: What we heard at the round-tables in January and, in particular, from the three young women who spoke – they talked about needing to have an identity, that they needed to have their voices heard and who they were known. There were a lot of conflicting statements in what they had to say. Two of the three girls wanted their names to be known in the event of their death, and even though they were children in care, they didn't want a publication ban. But the third child said that it should be up to her, and if she chose not to do that, then absolutely she shouldn't have to do that.

The problem with when you do it ex parte, the way that this is done, is that legislation is deciding ahead of time that only one part of the unit can go and do the ban. For example, a family member could go and say on behalf of a sibling of the deceased child: I don't want to do this. They can do it behind closed doors with a judge, and they can do it without anyone else ever knowing that they've done it until whatever time they want to release that information. I can understand, and I'm sympathetic to wanting to protect a sibling that has passed away.

Alternatively, though, what we also have is that you could have a situation where an outside member – in the same part of that it says that "a director" could make application, a "family member" could make application, or "with leave of the Court, any other person." So there could be a situation where, let's just say, there's a community that for whatever reason did not want the information that a child had died in their community, not to protect the family but just because they did not want the general public to know that a child had died or why, and they wanted a publication ban. They could actually make application to the court, with the family never knowing.

The family might never know that they have gone to court and created a publication ban. This leaves the family in a situation where the family doesn't know there's a publication ban, and the family or the siblings may actually want the public to know why or how their family member died. Because they never knew about the application for the ban in the first place because it was held ex parte, they never had the opportunity to say to the judge exactly why they would consider having a say in why the judge should consider why the ban shouldn't be granted.

What we're saying here is that there's obviously a role that the media would like to see as well so that they know when a ban is being applied for. My concern with the way it's set up right now is

that not only may the media or the public interest not be met because nobody knows the ban is happening, but there is an additional concern that the family member who the ban is actually applying to – their extended family may not even know what's happening. They may want their information public, or it could be the expressed wishes of the person who has died.

For example, if I have a child in care and that child passes away but has expressed wishes to me that they want their name to be known, an ex parte application says that the Member for Lac La Biche-St. Paul-Two Hills could, of his own doing and for whatever reasons he may want to do that, go to the court and apply without my ever knowing and without my family ever knowing. He could apply to the court, get a publication ban, and you essentially revictimize the person who has died even though the child in care who has died has made it very, very clear that their wishes are to have their name known. So this is extremely concerning.

I totally understand the minister's idea in that by creating an ex parte environment, it puts less stress. The family might be grieving, and they may not want to go in there and give their case. What I'm suggesting with this amendment is: let's let the judge decide. Let's make sure that we're being fair on all levels and not just taking one side that actually could damage the family as much as it could damage the media or any other interested party. A judge will be fair, and a judge will decide what is in the best interest of the child's wishes. There's an opportunity for somebody who's impartial to say to them: "I understand why you want this. I understand the wishes of your child. Therefore, I will grant the ban," or "I will not grant the ban." But they will know all sides of the story.

In doing that, it's really, really important because we're not only protecting the child, who may want their wishes known, or the family, but we're also giving the appearance of being fair, open, and transparent, which is really, really important. This is a serious concern to families of children in care who want their information to be public, and I would suggest to everyone in here that there's additionally a serious area of concern that ex parte proceedings take away, sometimes, those freedoms that we enjoy every single day. I would hate to see a family member who wants their child's story to be told be sideswiped by an uninterested party, who's only doing it for gain or for protection or for whatever reason. I would hate to see that happen.

I would like to see the amendment be approved, that we take out the ex parte. The application process can still remain the same, but let's put it to the fairness of a judge and the court and allow an open and transparent process and not only protect the rights of the family as it pertains to when they want to make the application but also as it pertains to when they want to make their information public but other factors force them to not be able to. I would appreciate your support on amendment A4.

The Chair: Hon. minister, did you wish to speak to amendment A4?

Mr. Bhullar: Sure. Mr. Chair, I think that doing what the member says would put us in a position where, quite frankly, you could have a six-month process to hear something like this. If you have an order that has to be granted by application, then you're essentially saying that you have to have a trial almost. The way it is right now, a judge has the ability to make this decision based on two things, the best interests of any child receiving intervention services who's a sibling of the deceased child or the known wishes of the deceased child. I think that it's fairly confined.

I think that anyone other than a family member or a guardian that would want to bring forward an application would have to get leave from the court, first of all, prove a relation, a connection somehow or another, to the deceased child or to the family. For that reason, I think this would sort of serve the opposite purpose of what we're trying to achieve here. What we're trying to achieve is to say: "Let's open this up. Let's allow for publication." In those rare cases where it's in the best interests of surviving children, where they want a publication ban, that process needs to be able to take place sooner rather than later. That's why I'm against this amendment.

Ms Blakeman: This is where I wish I had a law degree because we're getting in kind of deep and specific on this. I'm wondering why the minister would think that it would take us an additional amount of time to do that.

I'm quite uneasy, and when I read the legislation, this was the part that leapt out at me first and the fastest, the fact that there could be – and it was now being enshrined in legislation – and ex parte application, which I have real problems with because it always means that it's not an open process. You know, only one party is going forward, and there's no legal obligation to notify other parties. If I'm misunderstanding this, I'm sure one of the many lawyers in here will leap to their feet and correct me. But only one person knows what's going on here, and that, to me, goes against the grain of what we're trying to achieve here. We're trying to have as open and as transparent a process as possible. We've got a situation where a child who's received intervention services has died. We can have a director, a family member, or, with leave of the court, any other person, which covers quite a bit, come and make an ex parte application. I think that should be taken out.

5:20

If we take it out, it says that with leave of the court any other person can make an application in accordance with the regulations for an order that no person shall publish, blah, blah, blah. The next section is that the court may grant an order applied for if they're satisfied it's appropriate for the best interests of the child who is a sibling or is the known wishes of the child. I don't see why all of that needs to be done ex parte. I'm not sure that the ex parte actually makes this a longer legal process.

So if any of the legal beagle minds that are here in the House could please get up and explain to me why this would make it a longer process, I'd love to hear it because I don't think that's necessarily true, and I'm quite uneasy about having the ex parte in here. I would further like to hear the minister talk about why he chose to make it ex parte. I'm throwing that one out there.

I have a legal beagle mind here, Mr. Chairperson, that legal beagle mind.

Ms Redford: I think that before I start, I have to say that the last time I stood in this House and answered a question related to Justice, I was probably sitting one row up, so I have the same perspective on the House.

But in trying to answer the question, I think that what I hear from the minister and from members on the opposite side is about trying to get the best and most thorough public and transparent process for this. My reading of the legislation, only my reading, would be that what that allows for is permission for an ex parte application to be made as opposed to only an ex parte application to be made.

My only perspective would be – and I'm sure other lawyers in the House might have an opinion on this – that when a lawyer

goes on behalf of any of those named and interested people to court to make an application on an ex parte basis, one of the first things that a judge does is to look at the legislation to determine, based on that criteria, whether or not it makes sense and will very often first ask the question of whether this should be an ex parte application and, in many cases, will say to a counsel bringing this forward on behalf of a party that in this case it shouldn't be an ex parte application.

So from my perspective it's not a restrictive clause that simply says that only an ex parte application will be made, but what it does say is that it's permissive, that an ex parte application can be made, which is different. Then in a public court – because all of these applications would be public unless counsel argued to a judge that they wouldn't be – they would then be able to make that application and would not be excluded from making that application.

Quite frankly, in practical terms, in some of the work that I've seen, I think that the intention in this is to put in place a system where you don't have people that are perhaps trying to play games with a really awful situation start going to court and saying: "Well, Mr. Justice, Madam Justice, you can't make an ex parte application. We want to be there." And then that does turn it into, through sort of legal procedure and court process, a process that may not be in the best interests of the child.

So it's more permissive than restrictive. That would be my reading of it. I don't know if the minister wants to comment.

The Chair: Thank you, hon. member.

Mrs. Towle: Thank you to the Member for Calgary-Elbow for providing some clarification. It's my understanding as well that it is "may," and you're absolutely right.

Here's my concern, though. Even if it is "may," taking out ex parte doesn't add six months to the process. The application can still be made, and the judge could take the criteria of any other person. So any other person could be somebody who has a public interest, somebody who could be working not in the best interest of the child and could go in and may make an ex parte application. The family of the deceased child may not ever know that that person made application under that provision, and that is where I become concerned.

I completely understand your interpretation of it. I think that it's logical, and I think that you're absolutely right in the sense that it's meant to make the system simpler, but by creating the ex parte, it still means that the family member may never be notified when that person makes an ex parte application, that their wishes might be gone against.

The minister also mentioned that one of the criteria is the best interest and the known wishes of the child. If it's an ex parte application and the person making the ex parte application never knew the known wishes of the child, it is possible that the ban could be approved never knowing the wishes of the child because there's no avenue to actually bring in a third-party person to say: what are the known wishes of the child?

I understand where you're going with it. I guess what I'm saying is that there is a possibility. I'll maybe put it into a different narrative, an example. Let's just say that there were a number of incidents in one community and those families in that community wanted the names of the family members to go public. However, a leader in that community decided: "Well, I'm going to apply for an ex parte application, which I may do under this provision. I don't have to do it. It's not the only provision, but I may do that because, in my opinion, it's in the best interests of the community to actually have a ban and not actually bring this information

forward." That person going to the ex parte application may not know the best wishes of the child, may not know the known wishes of the child, and therefore could be working against the very child of the family they were intending to try and protect.

I understand, too, and I agree that the judge would likely say: should this ex parte application happen or not happen? But you can create a lot of friction. If the judge doesn't know all of the factors in why an ex parte application is being applied for versus not applied for, there is a possibility that the judge may not know the known wishes of the child or the best interests of the family, and an application could be granted that totally goes against everything we're trying to achieve here.

With that, I'm open to hearing your comments. I wonder if there's any room for a difference in your opinion, but that's where I'm coming from.

Thank you.

Mr. Oberle: Just a couple of quick comments here, Mr. Chair. Let's just go back to the clause. As the Member for Calgary-Elbow pointed out, it's permissive. It allows. It doesn't require an ex parte; it allows for it.

So if you go to the next clause:

- (3) The Court may grant an order . . . if the Court is satisfied that the order would be appropriate, having regard to
- (a) the best interests of any child . . . and
 - (b) the known wishes of the . . . child.

Obviously, the court is not going to grant anybody that comes off the street any order under this process because it's not going to be aligned with the best interests of the child. This is not available to somebody who's trolling for whatever reason. However, once granted, if an application is granted, it must be served. Right? So everybody is going to know about it. Once served, if you go to clause 4, it's never binding on a family member ever, and any person who has been served can make an application to have the order set aside. All these processes are in place.

So it's permissive, as the Member for Calgary-Elbow pointed out. It permits the ex parte application but restricts it to a careful set of circumstances, again all focused around the best interests of the child. I think 4(a) is particularly important here. It's never binding on a family member, granted or not.

Thank you, Mr. Chair.

Mr. Bhullar: Mr. Chair, some of the reasoning behind allowing for such a process is that things happen very rapidly. I met with a mother whose child had in fact passed away while in the system, and the mother told me stories about how people were trying to get information, pictures, et cetera, right while she was sort of at the hospital. If that mom says, "You know what? My child's story needs to be restricted," you need the ability to go and make this happen pretty quickly. It's that interest of protecting people's privacy when they want it to be that has me committed to this process. You know, this is a significant change in our law. This is a very significant change. As we were discussing earlier and as others have discussed, this is going to require some balance, and I think it does that.

5:30

Where that mom, whose child has just passed away, may need to get access to a decision pretty quickly, she has that ability using an ex parte process. She doesn't have to serve a series of people. When a stranger off the street wants to come in and ask for a publication ban, it's very clear in the legislation that there are two criteria, the known wishes as well as the best interests of other siblings receiving child intervention services. The court is not about to make a decision saying: I know nothing about X, but let

me grant this order to Stranger Joe off the street. I understand what you're saying. I think we can come up with a multitude, dozens and dozens, of different scenarios here that can play in each direction, but I think that this finds the best balanced solution for us to move forward right now.

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

Ms Notley: Yes. Well, as I've been saying to several people that I'm discussing this with, I struggle a bit with this section because you can come up with a scenario on either side where some form of injustice might occur, which is sort of why in some ways I'd like a chance for us to have a longer and more thorough discussion about it and how to set up some protections for some of those scenarios.

One question I have. So when it's ex parte – let's say that you've got a child who's in care that is a victim of a fatality. I don't know the stats, Minister, but I would expect that at least 50 per cent of them have siblings in care. At least. I suspect you could probably give us that information. Probably at least 50 per cent, maybe more. Half of those kids have siblings in care. The way this is written right now is that that means, then, that the ministry goes off to court ex parte, makes the application on the basis of the fact that there are younger siblings in care. The question is: if it's ex parte, does anyone in the family get notice? I know we often think that the fight is between the ministry and the media, but on a day-to-day basis it's often other members of the family, or it could be. If it's ex parte, does it mean that the family gets notice? That's my first question. How do you define if anybody in the family gets notice? Who gets notice? That's a question I have. Or does ex parte mean that, no, it's the ministry just basically saying: "We know there are four other siblings in care. We're going. We're doing an ex parte. We're not engaging with the family at all on this?"

If that's the case, then what if the family has evidence about clause 2, the known wishes of the deceased child? How does the judge even consider that? Does the judge then actually have a hearing and bring in and compel witnesses? I don't think they do in an ex parte hearing. The question becomes: well, how do we know what the known wishes are? You've got two criteria there. The very people that can give evidence on criterion 2 are by definition often not getting notice of the hearing. I'm not saying that the government is doing this intentionally or with any malicious thought, but what I can see is that probably at least half of the kids in question here will have siblings in care, so it would be almost a pro forma policy that you would do the ex parte thing. Then we've talked previously about the fact: how many of those families are able to navigate an ex parte or non ex parte application? I'm not sure which.

I actually have a genuine question. Is the family given notice when that happens, and if not, how do we deal with the fact that they may have evidence on one of the two criteria that you're asking the judge to consider? I just think you may be also legislatively building in a conundrum there that the judge will struggle with. "You've got ex parte. You want me to consider this evidence. I don't know how to consider this evidence. It may be ex parte, but now I actually have to start subpoenaing witnesses because I need to satisfy myself about this evidence." What's that process look like?

Then, of course, the other piece of it is that an order doesn't bind the family member, but it does bind the family member from pursuing the publication of the information. As I said before, that means that that family member then has to go back into court. I'd always talked about the reverse onus. This is kind of a reverse

onus because it's ex parte. We've talked about how legally equipped the ministry is relative to many of the families they work with, that reverse onus when it's ex parte is not really a reverse onus because nobody is giving evidence from the other side. So that's a concern. When you have a reverse onus, presumably someone is on the other side arguing the other side. That's what I was trying to get at when I talked about the reverse onus process.

I appreciate what you're saying about the time limits. I know that the minute you get two parties to a legal dispute, you've got a time issue, and I know that sometimes you have to deal with these very quickly. I'm not saying that I've got the answer, once again, but I am saying that there are some concerns there that you're not really doing a reverse onus. You are asking the judge to consider evidence that you're not letting him have before him through the process that you're setting up.

A couple of observations there. Certainly, if you have information to provide us about what the role of the family is, that would be helpful.

The Chair: The hon. Member for Edmonton-Centre, please.

Ms Blakeman: Thank you. While the minister is looking things up, part of what I'm starting to wonder – what I'm not starting to wonder is why I have never been the critic for this portfolio. That I'm not wondering about. That's pretty clear to me right now. But I sort of have, aside from the rule of 500, a rule of 3 to 5 per cent. I'm wondering if the minister has numbers because we could be coming up with all kinds of scenarios that, yes, might possibly happen, but, you know, is this 1 child in 5,000? Is it appropriate to turn the world upside down for that? I'm just wondering how often this kind of thing is likely to be needed. You must have thought about that if you've put it in the legislation. I am a little concerned now that we're digging so deep that I'm wondering if we're changing the world for half a per cent. I mean, that might be valid. Sometimes you do that. But I am starting to wonder that. So if I could just add that little request for information onto my colleague . . .

Ms Notley: You're asking about the ex parte and how long does a session last?

Ms Blakeman: Yeah, yeah. I do take the point that was made – I think it was Calgary-Elbow – that sometimes families can be awful to each other, particularly awful. Like, nobody is more insulting to you than your little brother, right? So sometimes families can be their own worst enemies, and they might be a big part of the problem with ex parte and trying to get in on things that they shouldn't be in on. Yeah. That's what my question is around generally. I'm kind of undecided about how I'm going to vote on this. I actually had included it in an amendment I was going to do, and now I've taken it out. So if you're able to answer that or if anybody is, I'd appreciate it.

The Chair: The hon. Minister of Human Services.

Mr. Bhullar: Thank you, Mr. Chair. You know, a lot of the questions I'm hearing and concerns I'm hearing seek very simple solutions. The fact is that when you look at who alone a family member is and how many different people can have touched a child's life, it can be incredibly complex in this particular area. I mean, if we want to start talking about who you need to serve before you do an application, a child could have been in care since birth – we have children that are in care since birth – and that child could have such significant medical issues because mom was

addicted to crack. These are stories you hear. As a result, that particular child may not have a great life expectancy.

5:40

So in that particular case, you know, if there are other siblings involved, how do you determine who you need to inform? How do you determine who needs to be there at the application? That's the challenge with this. But the fact is that for those who don't want their child's picture published, they need to be able to make an application in a short period of time. That's the issue here. What I heard very loud and clear at the round-table and since then is: treat us as you treat others. But if there is a child whose family is incredibly diverse and you have one person out of 10 who says, "Yes, I want to publish the picture" and you have nine others that say, "No; who are you going to serve for an application that's not ex parte?", how are you going to allow that process to happen before there is actual publication?

You know, we're looking at cases here where there is a death. The Member for Edmonton-Centre is asking for numbers. The numbers are far too much still. If you have five or 10 a year, that's five or 10 too many. If you have 15 or 20, that's still far too many. With respect to the number of children that pass away that have siblings in the system, I don't have a number handy, but a large proportion, I would say 30 to 40 per cent of kids who are in care, have other siblings in care. That's a rough number, 30 to 40 per cent.

So with that, Mr. Chair, I think I understand some of the questions coming forth, but we cannot anticipate for every eventuality with this particular piece, and I would rather side on the ability of a family to be able to bring forth a quick order before there is publication if that is their wish.

The Chair: Are there other speakers to the amendment?

Seeing none, I'll call the question on amendment A4.

[Motion on amendment A4 lost]

The Chair: We will go back to the bill.

Speaking on the bill, the hon. Member for Edmonton-Centre.

Ms Blakeman: Thanks. As I mentioned, I also have an amendment that I will pass to someone.

The Chair: This will be A5.

Ms Blakeman: A5?

The Chair: A5.

Ms Blakeman: Oh, wait a minute. I just sent you the wrong one, didn't I? Yeah. Sorry; can I get that back?

The Chair: Would you, please? Thank you.

Ms Blakeman: Sorry, Mr. Chair. Momentary brain freeze.

An Hon. Member: Momentary?

Ms Blakeman: Yeah. It's momentary. I'm having a bad day here. You just don't want to be getting me even crankier than I am because you wouldn't believe how long I can talk when I'm really cranky.

Sorry; that was my fault. I had an amendment that I had actually tried to change and got excited at that moment and leapt up and gave the old amendment, so there may or may not be a new one coming. What I was attempting to do is to add to the same section we're talking about. This will just make the poor minister . . .

The Chair: Hon. Member, you're just speaking? You don't have an amendment right now?

Ms Blakeman: No, not at this second, but, you know, I'm ever hopeful.

The Chair: Thank you. Hope springs eternal.

Ms Blakeman: But what I would like to do if I had an amendment would be that under that same section we've been talking about, which is on page 9 of the bill if you like the paper bill, otherwise it's under section 16 of the bill, which is amending section 126.3, and this comes in (3), so that we're in the same section – we're talking about the same thing. If a child receiving services has died,

- (a) a director,
- (b) a family member, or
- (c) with leave of the Court, any other person

[can] make an ex parte application . . . that no person [can] publish, [in any way] . . . the deceased [child's information].

Although, the court does have to take into consideration:

- (a) the best interests of [the] child . . . who is a sibling . . . and
- (b) the known wishes of the deceased child.

At this point I would then insert two clauses, one of which would say that the proceedings under the previous section would be closed to the general public but open to representatives of the press, radio, and television unless the court on an application is satisfied that such representatives being there would be manifestly harmful. Yeah, it's closing it to the public, but it would allow the media to be there. The media in many cases act as a watchdog on behalf of all of us. You know, they don't always need to publish, but they do need to, I think, be there to witness what's going on.

The second part of an amendment that I would do if I had an amendment, which I may well have today if things are looking up for me, would be to say that no report of a proceeding can disclose the names of any of the people that are involved in the proceeding as a witness, as a party, or disclose the identity of any such person. This is taking everything a step further than others have gone, but it is taken directly from the legislation that is in Manitoba. I basically just lifted those sections because I was quite persuaded, when I heard of it, that this was another way of ensuring a double check or an extra layer of transparency. So it does inject the electronic and other media into this situation, but it can also have them taken out, you know, if there's an application. It leaves it up to the judge and gives them the flexibility. They can't report and identify who's in the room.

Oh, my goodness. Thank you so much. It's my lucky day, Mr. Chairperson. I am going to send . . .

The Chair: An amendment.

Ms Blakeman: . . . an amendment to the table.

The Chair: Wonderful. It would become A5, hon. member.

Ms Blakeman: It would be A5, actually. Thank you.

The Chair: It would be A5, absolutely.

Ms Blakeman: My thanks to all of the amazing people that help us MLAs try and get things done, which includes all the people at the table and the pages. I'll just pause for a moment and let you actually get your hands on this amendment so that you can see what I'm up to.

The Chair: I'm sure you could start, hon. member.

Ms Blakeman: Thanks. Well, that's just encouraging, that everyone is paying such close attention.

As I was saying, these two clauses would be – I don't think you say "injected"; that's probably not the right language – placed . . .

An Hon. Member: Inserted.

Ms Blakeman: Inserted. Thank you.

. . . inserted almost at the end of this whole section about trying to get a publication ban in place, who can be there, whether it's ex parte, what decisions the judges can make, taking into consideration the siblings of a child who's died while in care, and the known wishes of the child. Then I'm trying to insert under there that the proceedings would

be closed to the general public but shall be open to representatives of the press, radio and television unless the court is satisfied that the presence of such representatives would be manifestly harmful to any person involved in the proceedings.

There's an out clause, but it says that otherwise the media are going to be in the room. If the judge is satisfied that's a problem, they can boot them.

Then, no report of that proceeding, of that ex parte application, can disclose the name of any of the people that are involved there. So you get away from, you know, describing family members or who's the representative of the department or any of that. Those names are all taken out of it. But it does allow the media to be in the room as an additional witness, and they would know, based on the outcome of that particular decision if it gets to that point, whether in fact there is a ban on the publication of the name of the child or not.

5:50

As I said, I took this from the Manitoba legislation pretty much word for word. That's what they use. I'm satisfied that it works in another jurisdiction, a jurisdiction that's fairly similar to ours in makeup and in diversity and number of kids in care.

I'd ask people to support this. I think it's a pretty good idea. I look forward to the discussion from everyone else. I do move amendment A5.

The Chair: Thank you, hon. member.

We have amendment A5 on the floor. Might I ask, hon. members, that you keep your side conversations a little lighter, please? Thank you.

Anyone else to speak to the amendment? The hon. Member for Innisfail-Sylvan Lake.

Mrs. Towle: Thank you, Mr. Chair. I'm happy to rise and speak in support of this motion. I think it's important that we look to other provinces and see what their legislation has done. As the member from the fabulous constituency of Edmonton-Centre has said, this is directly taken from the Manitoba legislation. I'm happy to see it put in here today.

This essentially says that it will be closed to the general public at the beginning, but it can be open to all representatives. It's not held ex parte. It leaves the ability for the judge to decide what is manifestly harmful to the person in the proceedings. It creates an open and transparent process. It allows for the judge to be the key objective person to decide who should and should not be there. It also allows the media to hear the context in which the argument is being made for the ban to happen, and should the ban be granted, they cannot report on it. It might go a long way – and I think it would go a long way – to educating a lot of people about what that process looks like, the process for how people make the decision to grant or go through an application for a ban.

It also says, "No report of a proceeding under subsection (2) shall disclose the name of any person involved in the proceedings as a party or a witness or disclose any information likely to identify any such person." That's really important because it allows for an open, transparent, fair process. It additionally goes on to say that the judge, who's objective and fair, will be the determining factor. Then over and above that it allows the people who are there, who are arguing for the ban or against the ban, to understand the whole picture as to why the person is making the application but also the impact of why the ban should or should not be covered.

I think it goes a long way. This is definitely a different way to do things, and I think the minister would be really moving us forward if he had the opportunity to support this amendment. Thank you.

The Chair: Other speakers to the amendment?

Seeing none, I'll call the question.

[Motion on amendment A5 lost]

The Chair: We're back to the bill.

Ms Notley: I guess I'm just sort of speaking generally because I don't have my amendments back, so I will just speak in the hope that we can reconvene in committee tomorrow afternoon.

We've had an interesting discussion and we will continue to have an interesting discussion about the issue of how we deal with a publication ban. Having discussions with the minister about maybe a different approach to it, where – it seems to me that just through the discussions that we've had already, we've had a lot of different scenarios that have been put forward. There may be some issues there with how this will ultimately be implemented. There are ways that we can deal with that. Obviously, the regulations are the mechanism through which the publication ban process and the ex parte process will be implemented, so perhaps there's an opportunity to allow for a process where we would have some form of all-party discussion before implementing the regulations, that would circumscribe the process through which the ex parte applications were made. That might be a way to go. I think that that's an important thing to consider, and we're certainly looking into that.

One of the other issues, as I said before, that I think we need to deal with in order to ensure that we really get the best out of this bill is to do a better job of outlining the responsibilities of the children's advocate. One of the things that happened when we first brought in the children's advocate legislation was that we lost the quarterly reports. It used to be that the children's advocate had to provide a quarterly report of who was contacting him, including mandatory notifications, and those had to be done every three months. They were given to the minister, and then the advocate also had to release them.

That provided information that was important because the mandatory notices are the notices under the act that, you know, teachers, doctors, neighbours, and people like that have to provide to the ministry where they think that there is a child that may be at risk. We used to get those every three months, and it was worth while to sort of see what the state of the world was. It was also good, I think, in terms of having people understand what it was that folks within the system were dealing with and trying to juggle and to manage. So when the children's advocate act was passed, making the advocate an officer of the Legislature, one of the

casualties of that process was the quarterly reporting. So I'm hoping that we'll be able to have some consideration later about reinjecting that into the mandate of the children's advocate.

We will be talking about that because I think that, again, we're continuing to move towards – in my view, the more we have an open, healthy discussion about the issues that face these vulnerable children, the more we're prepared as a society to do what's necessary to try and do right by those vulnerable children and their families. If you keep it quiet, everybody can just pretend everything is fine and just look the other way. If we have an open, healthy discussion about the many complex challenges which these children and their families face, not necessarily in an individualized, name-and-picture kind of way but just in a more generalized way, then I think we're in a better place to be able to, as I say, build that community consensus for the actions that need to be taken to really make a major difference.

That's why, in my mind, it's always about enhancing transparency, enhancing the opportunity for community discussion,

and, of course, ensuring that we do that in the most independent of ways.

Yes. We seem to be there.

Ms Blakeman: What about upstream things?

Ms Notley: Upstream things?

Ms Blakeman: Before we get to this point.

Ms Notley: Well, of course, we know and we've talked before about the fact that we're doing all of this discussion – and that's great – but at the end of the day, what we really need to be doing is moving forward on that unfortunate promise, that was ignored the minute it was . . .

The Chair: I hesitate to interrupt the Member for Edmonton-Strathcona, but it is 6 o'clock, and the committee will stand adjourned until 7:30 p.m.

[The committee adjourned at 6 p.m.]

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