

Legislative Assembly of Alberta

Title: **Wednesday, April 26, 1995**

8:00 p.m.

Date: 95/04/26

head: **Government Bills and Orders**
head: **Committee of the Whole**

[Mr. Tannas in the Chair]

THE CHAIRMAN: I'd like to call the committee to order.

For the benefit of our visitors in the gallery I would indicate that Committee of the Whole is an informal stage of the Legislature. People in fact don't sit where they're inclined to be numbered, if you have those sheets. The rules are somewhat relaxed. People are able to bring in a coffee or a juice and to take off their jackets and to move around and visit, quietly visit.

I would remind the members of the committee that we're going to stick with the convention again of one person standing and talking at a time.

Bill 1 Alberta Taxpayer Protection Act

AN HON. MEMBER: Question.

THE CHAIRMAN: The question's been called, but I wonder whether or not anyone would wish to speak to this Bill to begin the evening's deliberations. Seeing that Calgary-Shaw and Edmonton-Whitemud are both up, I'll defer to whichever wishes to speak on the Bill.

MR. HAVELOCK: Well, Mr. Chairman, I just arrived, and I was taking my seat.

THE CHAIRMAN: Okay. With that in mind, then, we'll ask Edmonton-Whitemud to begin this evening's deliberations.

DR. PERCY: Mr. Chairman, I rise to speak to Bill 1 in Committee of the Whole and again want to reiterate that certainly the notion of introducing a referendum in order to approve a sales tax is something that we support. In fact, it just so happens that it's one of the elements that we ran on in '93. Many good ideas have in fact been appropriated and used by hon. members on the other side of the House. This is yet another one.

So we'll support it, and we'll support it on a number of grounds, one of which is that I've always been a supporter of citizens' initiatives. I remember the First Session, in September of '93, when I think the Member for Calgary-Shaw brought in a citizen's initiative Bill. Maybe it was in the winter session. A number of us supported that initiative because it made sense. Not enough of us supported it, unfortunately, to have it passed, but as a private member's Bill it made a lot of sense to many of us.

So we found that the notion . . .

Chairman's Ruling Decorum

THE CHAIRMAN: Hon. members, the Chair has said from time to time that he has difficulty hearing, and that's very true tonight. I'm having a difficult time hearing Edmonton-Whitemud, not because of my failing ears, I suspect, but more because of the ambient noise that appears to be because people are engaging one another in lively conversation. I wonder if those who wish to engage in such conversation would care to repair to the lounges

and those who are going to be quiet, you know, people like Calgary-Lougheed, will remain soft and we can hear the words from the hon. Member for Edmonton-Whitemud.

Debate Continued

DR. PERCY: Thank you. Certainly the ambient noise level is much lower.

Two issues I want to address before I introduce an amendment. First, one amendment we very much would like to have brought in dealt with the whole issue of user fees, premiums, and the fact that they should be given legislative approval. It was our hope that in fact we could bring in an amendment to this Bill which would require them to go through the Law and Regulations Committee. Not only would that provide a valuable check, but it would provide even further employment for the hon. Member for Calgary-Shaw. Unfortunately, Parliamentary Counsel would not permit us to bring in such an amendment because it would contravene parliamentary tradition as practised in Alberta.

Had that not occurred – I want to make sure it is on the record – we would have tried to ensure that health care premiums, all fees and fee increases that are passed through order in council would go through the Law and Regulations Committee. That way there would be accountability, scrutiny, and you would get an overall idea of the volume of hidden taxes that are being imposed on consumers and/or users of government services.

It's interesting. This Bill is called the Taxpayer Protection Act, I believe, and it should really be very comprehensive in nature. But the Bill itself is very narrowly focused, one might even say sufficiently focused that it appears to be a campaign brochure, certainly something to be handed out at the doors. [interjection] No, I wouldn't push that point.

If the issue or the intent of the Bill is to protect taxpayers, then one would think its focus should be broader. So, again, for the record we would have brought in amendments had it been possible to ensure user fees, health care premiums, and the like would have been subject to some form of legislative scrutiny and accountability within this Chamber. That unfortunately was not possible.

So the second best is to say that if you really want to protect the taxpayer and if you really want to look at the form of taxation that has been used most extensively by virtually all jurisdictions, it's personal income tax increases, whether they be part of the overall rate structure or flat taxes, which Alberta has adopted. Unlike many other provinces Alberta has a flat tax that is imposed on income itself, not as a share of any particular tax rate. If you really are concerned about protecting the taxpayer, the focus, then, should be on those forms of taxes that are used on individuals.

Therefore, it is our intent to bring forward an amendment, a constructive amendment, which I know many government members will wish to support, and I would like to distribute that now. While it is being distributed . . . [interjection] Yeah. I think you have copies of it up there.

THE CHAIRMAN: Not that I'm aware of.

DR. PERCY: While it is being distributed, I will just give you a précis of this amendment. I'll just read it to you so that you don't have to sit there impatiently waiting to know how we're trying to help you make this Bill better. Section 1 is amended by striking out "a general provincial sales tax only if," and substituting "a general provincial sales tax and an increase in provincial personal income tax rates only if." So it's very clear that this is entirely consistent with the intent to protect taxpayers. Unless this

whole Bill is an election charade aimed at gaining points, I would argue, then, that hon. members on both sides of the House would in fact support this amendment.

Now, why would hon. members on the other side of the House not support the Bill? Well, hon members might . . .

AN HON. MEMBER: Peace. We give up.

THE CHAIRMAN: Hon. member, that was not a sign of surrender, but if you'd give us a moment, we would like to see that the pages have an opportunity to pass this all around. While we're doing that, the Chair would remind all members that we have the requisite signatures on the copies here at the Table and that this amendment will be called A1.

While there's a break, we would like to ask unanimous permission to briefly revert to Introduction of Guests.

HON. MEMBERS: Agreed.

THE CHAIRMAN: Opposed? Carried.

The hon. Minister of Municipal Affairs.

head: **Introduction of Guests**

MR. THURBER: Well, thank you, Mr. Chairman. I really appreciate the opportunity to do introductions at this time of night. A lot of times the foolishness that's carried on by the opposition in here doesn't really bring a lot of people in to watch what's going on.

It is a privilege for me to introduce to you, Mr. Chairman, and to the Members of the Legislative Assembly a couple of people that are not necessarily constituents of mine. One of them is and the other one isn't. They are members of the Alberta Cattle Commission, which represents a very large part of the industry in Alberta and will become much larger in the near future because of the demand for Alberta beef. I would like to introduce Marvin Molzan and Don Mosicki. Marvin is from west of Rolly View, and Don Mosicki is actually a constituent of mine from near the neighbourhood of Warburg. I'd ask that they stand and receive the warm welcome of this House.

8:10 **Bill 1**
Alberta Taxpayer Protection Act
(continued)

DR. PERCY: I would now like to speak directly to the amendment. The amendment has been circulated, and again what this does, then, is require a referendum if in fact personal income taxes are going to be increased. If the issue is protection of taxpayers, I would think that you would want to protect taxpayers against the form of taxation most often used, which is personal income tax, and that's what the purpose of this amendment is.

Now, why would hon. members vote against this? Well, they might vote against it because they're against the notion of referenda and they're against the notion of direct citizens' initiatives. If that were the case, they would not only have to vote against this amendment, but they would have to vote against the Bill itself. So I'm sure, then, that hon. members who would vote against the amendment and were doing so because of a general philosophical distaste for referenda and citizens' initiatives to be internally consistent would in fact have to vote against the government Bill itself. So we can scratch out a number of those types of individuals. Otherwise in fact Bill 1 would not have

reached the floor, because it would not have passed the government caucus. So I am sure, then, that as members approach this, any reason they have for not voting for the amendment is unrelated to those types of philosophical issues.

The second reason individuals might vote against this is that in fact they realize that perhaps Bill 1 is only a charade and is in fact not really meant to be used and that its intent is mischievous because it occupies a significant amount of time. By having this amendment, in fact any sense that it's a mischievous Bill is completely removed, because now the Bill has teeth and is binding. That, then, ensures that Albertans will view the work of the Legislature and the work in the Chamber in a very positive light, because legislation that is tight, is binding, and serves the interests of taxpayers in fact has teeth.

When I look at the amendment, I think that it is positive. It does protect Alberta taxpayers. It's certainly consistent with the rhetoric of the government that the focus has been on the expenditure side, not on the tax side. Certainly members on the other side have argued that it should not be viewed as sales tax enabling legislation, that it's not really a forerunner of implementing a consumption tax and a flat tax as proposed by the Financial Review Commission.

So I would hope that all hon. members would, then, look at the amendment and note that the purpose of the amendment is positive. The aim is to protect taxpayers. That's what the amendment does, provides a little teeth, makes the Bill a little less rhetorical, a little more binding. I would urge all hon. members to support this amendment.

THE CHAIRMAN: The hon. Member for Edmonton-Manning.

MR. SEKULIC: Thank you, Mr. Chairman. I rise to speak in favour of the amendment. I actually rose about a week and a half ago to speak to this amendment, and I think it was you that put me back in my seat because it hadn't been introduced yet. Now that it has been introduced, I will speak to it.

Where I left off last time, Mr. Chairman, was that this Alberta Taxpayer Protection Act reminded me of a cookie jar that was within reach of a young child. To avoid this problem of this child getting into the cookie jar, a quasi-responsible parent took some of the cookies out, put them on a higher shelf, and left the cookie jar at that same level. So what we want to do with this amendment is put the jar on a higher shelf, not just a few of the cookies.

You know, it's very tempting for this government to reach into that cookie jar and take some more out, and we know. We know because since the government has undertaken its new direction, taxes have increased and are contributing 8.2 percent to the government deficit elimination plan. When the current Premier became Premier in December of '92, revenues from fees, licences, and premiums were 6.8 percent of budgetary revenues. By March 31 of '97, revenues from fees, licences, and premiums will be \$1.063 billion, or 8.7 percent of the budgetary revenues.

So, Mr. Chairman, clearly we see that the government has a number of different avenues open to it to reach into the taxpayer's pocket and take money from the taxpayer. What we as a responsible Liberal opposition are doing here is saying, "We don't want the government to be able to reach into the pockets of hardworking Albertans again and again and again and then call them by some other name" – they're not taxes; they're fees; they're licences; they're incidental costs – because every time they reach, they reach into the same pocket and they take money from the taxpayer.

This amendment just about permits Bill 1 to live up to its name and to protect the taxpayer. So, Mr. Chairman, I would certainly encourage members of the government, those who are fiscally minded and who believe that we must live within our means, to seriously consider this piece of legislation, because it's not enough to say we must live within our means when the government has a way of increasing its means and those means are increased by reaching into the taxpayers' pockets. So if we're going to live within our means, let's define our means, let's define what government can take, and if there is going to be a way for government to take any more away from the taxpayer, then it must come through this Legislature.

So, Mr. Chairman, with those few comments I would certainly encourage all members, particularly government members, to make this Bill a better Bill with this positive amendment and to accept this amendment.

THE CHAIRMAN: The hon. Member for Calgary-West.

MR. DALLA-LONGA: Thank you, Mr. Chairman. I'd just like to make a few comments about this Bill and the amendment that's currently being debated.

When I first saw this Bill, Mr. Chairman, I too thought that it was or could possibly be more politically motivated than the intent that was trying to be sold, that being that we're really trying to protect Alberta taxpayers. I guess after some discussions with some of the members opposite and discussions with some of my own colleagues, I felt, well, even if it is a political Bill, so be it. Maybe in the end it still could be something good. My colleague from Edmonton-Whitemud is putting forward this amendment to improve what could be a good Bill for Albertans, something that will protect them in the future against tax grabs. My only comment to my colleague from Edmonton-Whitemud was: why did we stop at provincial personal income taxes? Why didn't we go to corporate income taxes as well? But I guess we'll take what we can for the moment, and maybe we'll save that for another day.

The objective of trying to go to the people before we increase taxes to them, albeit it may be a political one, is somewhat unique as far as I know. In the past, governments find themselves short of dollars and they start looking on the revenue side, and it's just been too easy to increase taxes. We've seen that both at the provincial level and the federal level, and personally I think we pay enough in taxes. We do have to look more at how we spend our dollars, and I'm not totally in disagreement with the statement, "It's the spending, stupid." I think that's a statement that's going to bode us in the '90s, and we've got to look at how we spend our dollars. Unfortunately, there are many different points of view as to how those dollars should be spent, and debates will ensue as to where to put the dollars.

I guess one thing that troubles me about this Bill - it was alluded to before by my colleague from Edmonton-Manning - is: what do we do about increases in fees? That seems to be the flavour of the day or the flavour of the year, that we won't have tax increases but we'll have fee increases. Fundamentally, fee increases and user fees I think a lot of people support. I mean, in my discussions with my constituents, friends, colleagues, and many of the people that I know, they're not totally opposed to user-based fees as opposed to income taxes. However, I somewhat suspect that, you know, the government may feel that they don't need to have a sales tax; they'll be able to get the revenues they need through fee increases. So I'm somewhat concerned about that.

8:20

I'd just like to go back to this Bill as it sits right now, prior to the amendment, and why I think this amendment is necessary. The business about wanting to have a referendum with the people of Alberta before instituting a sales tax really is a no-brainer. I think quite clearly Albertans right now don't want a sales tax. So coming out and saying "Well, we know you don't want a sales tax, and we're going to put in a law that says you don't want a sales tax" is really a no-brainer.

I don't get that excited about the merits of the sales tax aspect of it, but I think that if we can get this amendment through, where we have to go to the people before we put a personal income tax increase in place, then we will see if this government is really serious about revenue increases, about taking dollars out of Albertans' pockets. I know the Treasurer for the moment doesn't really take this amendment seriously and doesn't really think that we need to put the amendment in to go to a referendum before we increase personal income taxes. With a little more debate, maybe we can hear his views. We can get this amendment passed, and then truly this government can go to the people and say, "We've really done something spectacular." But right now as this Bill sits, Mr. Chairman, I really think it's a bit of a political . . .

MR. SEKULIC: Red herring.

MR. DALLA-LONGA: Yeah, a red herring. Convince me, Mr. Chairman, that it isn't. Let's pass this amendment. Let's see what you're really made of.

With that, Mr. Chairman, I will give some other people an opportunity to speak, but more importantly, I'd like to hear the Treasurer's views on this amendment at some point.

Thank you.

THE CHAIRMAN: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Chairman. We return almost to where we started a few months ago, where we now have taken the political posters off the lampposts on the street corners and have brought them into the Legislature, shrunk them into smaller pieces of paper, given them fancy names, but that's what this is. I have already commented once before that this is simply a political ploy on the part of the provincial government and on the part of the Premier, who himself fears mounting pressure from Conservatives in Alberta and from his own party to bring in a sales tax to stop the flow of cuts that exist in this province.

This has been a province, Mr. Chairman, since 1905, and we have never had a sales tax in this province until the provincial government, the Progressive Conservative provincial government, introduced a sales tax, partially, on the service of hotel rooms and accommodation in the province of Alberta. They introduced a \$4 per tire sales tax in the province of Alberta and torted that up as an environmental fee for the recycling of tires, but it is an additional premium paid to the government to purchase a commodity that people in the public need.

So let us be honest. The Conservative government of the province of Alberta has introduced into this province a sales tax. Like all sales taxes, including the GST and including the sales taxes in other provinces, you then get into much harangue and much debate about what it applies to. Does it apply, Mr. Chairman, to food on the shelves, to medicines in the pharmaceutical counters? Does it apply to airline flights? Does it apply to

hiring dental services? Does it apply to hiring a babysitter? Does it apply to purchasing lumber at a lumberyard? Once you have a sales tax, everything else is just a definition of what is taxed and what isn't.

[Mr. Clegg in the Chair]

So let's be up front about it, ladies and gentlemen. This province has a sales tax. Who introduced that sales tax? The Progressive Conservative government, just like their federal cousins. Their federal cousins introduced the most draconian of all taxes, the goods and services tax, sometimes referred to as the gouge and screw tax by members of the paying public. That is what the Conservative governments have done when they had a chance federally and when they had lengthy chance in Alberta.

The Premier once said that sales taxes never get anybody out of trouble. Well, they didn't get the Conservative government of Alberta out of trouble either, because during the time of their reign we went \$32 billion in debt. The hon. Minister of Health smiles; she nods. She knows it to be true. During the time the Conservative government was in power in this province, the province went \$32 billion in debt. Nobody, not even the Provincial Treasurer, ever stands up and denies that. It was the spending. Did a sales tax help? No, it didn't. Did the Conservative government's sales tax in the province of Alberta help? No, it didn't. So all we're doing, ladies and gentlemen, is talking about what things are taxed and what things aren't. Admittedly, at the present time in Alberta few things are taxed. Nevertheless, it is incorrect to say that nothing is taxed.

Now, the hon. Member for Edmonton-Whitemud has introduced a very fair amendment. Now, you might say: how can he do that? How can he introduce an amendment about income tax when we're talking about a sales tax? But we aren't talking about a sales tax, because the title of this Bill is the Alberta Taxpayer Protection Act. This is a Bill intended to protect taxpayers. So if we polled the galleries now, the wonderful people that were introduced earlier, if we said, "If you intend to protect the taxpayers" – the Minister of Municipal Affairs will agree with me – "would you put in there that we won't increase user fees?" you bet you would. Would you put in there that we won't increase corporate accounts? You bet you would. Hon. minister of agriculture, would you put in there that we won't tax grain and grain seeds? You bet you would. Would you put in there that we won't tax tires? You bet you would. Would we put in there that we wouldn't tax accommodation and room rents? You bet you would. Would we put in there that you won't increase income tax without going and having a plebiscite? You bet you would. If we really intend to pass a Bill in this Legislative Assembly that says Alberta Taxpayer Protection Act, then I want to urge the Conservatives to at least have the honesty to put some teeth in their own Bill that does protect taxpayers.

Now, because I am speaking to the amendment, Mr. Chairman, I won't talk about the long-standing philosophy about whether a government should govern from the grave, whether we should have legislation that in fact prohibits a course of action in the future that other governments at another time might want to take. The Premier himself is fond of saying that was then and this is now. Are there times and circumstances in the province of Alberta where the government might want to impose a sales tax to expand the taxation that they already do? [interjection] Well, why don't you stand up, Minister of Municipal Affairs, and say it was wrong and draconian to tax accommodation in the province

of Alberta? Why don't you stand up and admit that that was wrong and draconian and say that you will legislate the withdrawal of it, instead of laughing over there while other people in this Assembly are trying to protect and speak up for taxpayers in this province?

MR. DALLA-LONGA: This is a serious matter.

MR. GERMAIN: That's right.

The hon. Minister of Municipal Affairs thinks it funny that someone would stand up tonight and speak for taxpayers in this Legislative Assembly. I don't hear any of them jumping up on a point of order, Mr. Chairman, and saying that we don't have a sales tax in the province of Alberta. [interjections] They're yattering now; they're all yattering now. They're coming alive. You know, it's too bad that I only have 20 minutes of time to give to this Legislative Assembly.

Let's get to the amendment, Mr. Chairman, if we might. Let's get to the amendment. Some hon. . . .

8:30

AN HON. MEMBER: The amendment. It only took you 10 minutes to get there.

MR. GERMAIN: Yeah. Well, I've been on the amendment for 10 minutes, Mr. Chairman, but I've only now got the attention of the Deep Six and the other Deep Six in the Conservative caucus.

AN HON. MEMBER: The Deep 52.

MR. GERMAIN: The Deep 52, that's right. Mr. Chairman, this particular amendment is sound. It says that – now where is that? [interjections] I recognize the melodious tones of the minister of transportation, but he isn't even here. He now must have a clone. [interjections] Well, if you want to make a point of order, hon. member, stand up and deny that there's a sales tax in the province of Alberta right now. There is a sales tax right now in the province of Alberta and the question is: what does it apply to? You know it; the Treasurer knows it. The hon. Minister of Health knows it, and the . . .

THE DEPUTY CHAIRMAN: The hon. Member for Clover Bar-Fort Saskatchewan on a point of order.

Point of Order Decorum

MRS. ABDURAHMAN: Mr. Chairman, I don't think I'm hard of hearing, but I'm sure having a heck of a time hearing. It reminds me of last night, the kindergarten behaviour. Could we have some order?

THE DEPUTY CHAIRMAN: Order. [interjections] Order. Last night the hon. Member for Clover Bar-Fort Saskatchewan brought up the same problem as we're having tonight. I happened to have three or four people in the hall last night, and they were at a meeting with me all day today. They thought that we acted like juvenile delinquents. I couldn't argue that point, nor am I going to sit here tonight and put up with the noise and the yelling back and forth that we did last night.

If I could have unanimous consent to revert to Introduction of Guests before we go back to the hon. Member for Fort McMurray. Could I have that?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed, if any?
The hon. Minister of Municipal Affairs.

head: **Introduction of Guests**
(*reversion*)

MR. THURBER: Thank you, Mr. Chairman. I find it very interesting that the hon. Member for Fort McMurray is talking about a sales tax. I'm going to do an immediate poll here, and I'm sure that I can speak for the people that I'm introducing.

THE DEPUTY CHAIRMAN: You either introduce the people or you sit down.

MR. THURBER: I intend to introduce the people. Mr. Chairman, I appreciate your setting me straight on that, but I would hazard a guess that the people that I have introduced and the people that I'm going to introduce would perform a poll immediately against any sales tax in this province.

So with that, Mr. Chairman, I would like to introduce some other people who are involved in Alberta's largest industry in agriculture, which is the cattle industry. Some of them, again, are constituents of mine. Dave Willows from Winfield, Alberta, who is a large cow/calf producer out there, and he has been for a long time in the cattle industry. I know that most of the members from Edmonton don't care about that, but this is a very important issue in this province. Dave Willows, Mark Mowat from Bittern Lake, Arnold Hansen. Arnold, I have to apologize. I had to send word up there to get your name; I had forgotten it. Well, I hadn't forgotten it; I'd just lost it. Arnold is a cattle producer from Viking. I would ask you to stand up and receive the warm welcome of this House.

Bill 1
Alberta Taxpayer Protection Act
(*continued*)

THE DEPUTY CHAIRMAN: The hon. Member for Fort McMurray.

MR. GERMAIN: Thank you very much, Mr. Chairman. I'm delighted that the hon. minister introduced his guests because they will return to the counties and the villages and the small towns that they come from and they will say that the Liberal Party of Alberta stands up and fights for taxpayers in this province. We stand up and fight for taxpayers. [interjections] That is the quality of the conservative debate in this Legislative Assembly, Mr. Chairman, and those honourable visitors tonight that are spending time in the Legislative Assembly will go back to their farms and they'll go back to their kitchens, and tomorrow when they're sitting around having coffee with their significant others, they'll say: I heard an Albertan speaking up for taxpayers, and I heard a bunch of cattle calls and howling and moaning and whining. [interjections]

You know, whenever an hon. member on this side of the Legislative Assembly is asking a very frightening question, people are quickly jumping up over there on a point of order, saying the member's wrong or the member's misstated himself. I stated earlier that the Conservative government of this province introduced a sales tax historically, and not one of them sitting on their hands in the front row stood up and said, "Point of order" and denied that they had introduced a sales tax. In fact, Mr. Chairman, we have a sales tax in this province, and it's only a question of what it applies to. Now, if we want to protect . . . [interjec-

tions] Well, the Whip of that party, a renegade from another party, a deep left socialist party, is chirping from his seat as well, suggesting that there is no sales tax.

THE DEPUTY CHAIRMAN: The hon. Member for Stony Plain on a point of order.

Point of Order
Relevance

MR. WOLOSHYN: Yes, Mr. Chairman. I don't know which citation you'd like to use out of Standing Orders, but at least six of them would apply. To begin with, he's way offtrack. He's relevant to nothing pertinent, to anything of value. Secondly, likely when his mouth is open, both his eyes and his ears are shut, because I stood there silently, and whatever catcalls were coming were not from me. I would ask him to withdraw the last remarks if he has an ounce of decency in him, which would be hard to find in the best of cases, and I'd like to see him come back to the topic of debate, which is Bill 20, and quit doing his exhibitionism; it's a little late. [interjection] Bill 1, rather. [interjections] I'm most pleased to see that when I do speak, they all listen. Had I said Bill 1, it would have gone over their heads. So perhaps we'll get back on the debate.

THE DEPUTY CHAIRMAN: On the point of order.

MR. GERMAIN: I don't think there was a point of order, but I'll give the hon. member the benefit of the doubt. If he as an honourable gentleman wishes to deny that he was ever part of a socialist party in the province of Alberta, if he wishes to deny that, then I will of course retract my comments and apologize for suggesting that he was. [interjections] I'm not done my answer on the point of order.

THE DEPUTY CHAIRMAN: You will be as soon as you sit down. [interjections]

As I said earlier, we're having a lot of difficulty with the members on, I will say, both sides of the House. Obviously there's not agreement from one side of the House to the other, and that seems to be in our political system. That seems to be the way it always works. But the member that is talking has an absolute right to talk, and whether anybody in the House agrees with him is immaterial. So if anybody here in the House - everybody has a chance to talk. Let the hon. member talk, and please stay on the amendment, hon. member.

The hon. Member for Fort McMurray.

Debate Continued

MR. GERMAIN: Thank you very much, Mr. Chairman. This amendment proposes to protect the Alberta taxpayers in accordance with the title of this Bill, the Alberta Taxpayer Protection Act, by ensuring that a plebiscite will be held in the province of Alberta, not just for the introduction of a sales tax - and incidentally it is the Premier and the government members that are the only people in Alberta talking about a sales tax in this province.

MR. DINNING: You talked about it. You talked about it in the leadership campaign. You advocated one.

MR. GERMAIN: Yes, I did talk about it. [interjection] I did not advocate . . . [interjection] Well, listen, if the Treasurer wants to speak, he can stand up.

8:40

Now, this particular amendment, Mr. Chairman, provides protection to Alberta taxpayers by ensuring that there will be a plebiscite before there are any personal income tax increases as well. Now, this should be an easy amendment for the government to adopt. By golly, the Premier has pranced and danced throughout the entire province saying that there won't be any increased taxes. Well, there is no reason now for us not to enshrine that in this particular Bill. If the government members do not want to talk about taxpayer protection, then they ought not to have introduced this Bill 1. But since they introduced Bill 1, talking about taxpayer protection, it is incumbent on the Members of this Legislative Assembly to stand up and speak for the protection of taxpayers. It is incumbent on the Member for Cypress-Medicine Hat to stand up and speak for Alberta taxpayers, incumbent on the Member for Calgary-Shaw to stand up and speak for Alberta taxpayers, not so that the lone Member for Fort McMurray comes to the Legislative Assembly all the way from Fort McMurray to speak up for Alberta taxpayers and gets catcalls and harmony from the government members sitting on their hands.

Now that everybody is awake and ready to listen to the rest of the debate on this issue, I will urge all members of this Assembly to vote for true taxpayer protection, to vote for this amendment.

THE DEPUTY CHAIRMAN: The hon. Member for Sherwood Park.

MR. COLLINGWOOD: Thank you, Mr. Chairman. I'll try and catch my breath and continue with the debate. Speaking to the amendment, I rise certainly to speak in favour of the amendment as put forward by the Member for Edmonton-Whitemud and certainly concur with the comments in the debate that have been made by my colleagues from Fort McMurray and Edmonton-Whitemud and Edmonton-Manning.

You know, one of things that we've talked about in terms of this Bill, Mr. Chairman, is the title of the Bill, the title being the Alberta Taxpayer Protection Act. It's really quite a cute title actually because it suggests or implies that this government is going to protect taxpayers. Well, governments of course, as we all know, don't protect taxpayers from paying taxes. [interjection] Well, as my colleague says – and I'll simply quote his statement rather than initiate the statement: governments screw taxpayers. They don't protect taxpayers. As we all know, as we are now busily preparing our tax returns and some of us grumbling about that event, some perhaps not, as we are now in the process of doing that, the reason that we pay taxes is because we are legally obligated to pay taxes, not because we want to pay taxes. It is certainly not a government that is going to protect Albertans from having to pay taxes. So the title, of course, is complete nonsense. If the Bill that was intended was accurately and totally reflected in the title, perhaps we might be debating the sales tax referendum Act rather than the Alberta Taxpayer Protection Act.

So it is because of the title of this Bill that the amendment comes forward asking members of this Assembly to put some teeth into this Bill and in fact, if they intend as a government to give and listen to the opinion of the people who have to pay their taxes, to hold the same referendum for any increase in provincial personal income tax rates, not simply for a sales tax.

Now, the Member for Fort McMurray spoke very eloquently about the fact that Alberta already has a sales tax, and as he indicated, not one member on the government side rose to deny that statement. What's very interesting, Mr. Chairman, is that the

Bill as it stands speaks to – and I'll refer to the preamble – "a general provincial sales tax." So even the Bill in the form that it's in now recognizes, as Albertans recognize, that Alberta already has a sales tax and it is already water under the bridge and it is of course not going to protect Alberta taxpayers with this particular Bill. As the Member for Fort McMurray indicated and as other colleagues of mine have indicated, we have already seen the imposition of the accommodation, or hotel, tax, and we have already seen the introduction and collection of the \$4 per tire advance disposal fee.

We've had the debate and the discussion in this Assembly many times as to what is or what is not a tax. For government members user fees in any form are not a tax. The advance disposal fee on tires is not a tax. The hotel tax is not a sales tax, but of course, Mr. Chairman, it is. When you walk into the shop to buy the tire and you put \$4 on the table to pay the advance disposal fee, of course it's a sales tax. When you pay your health care premium, it's a tax. I pay that because I am legally obligated to do it, because this government made me do it. There is no other reason that I am doing it, and therefore it is a tax. It is a tax. It is a tax. It is a tax.

Now, what's very interesting, Mr. Chairman, is that – again, I concur with my colleagues, in particular Fort McMurray and Edmonton-Whitemud – this political statement is very inventive and ingenious in that it talks about a general sales tax. Well, the government has already got a history of introducing specific sales taxes. So while they're going to hold a referendum on a general sales tax, they'll continue on their merry way introducing specific sales taxes.

We already have the specific hotel sales tax. We already have the specific tire tax. Who knows what commodity is going to come down the pipe. The Minister of Environmental Protection is gearing up, under his draft legislation on water resources, to impose upon Albertans a water tax. It's inevitable. It'll happen sooner or later. He's building it into the legislation. We know its going to happen. It's in the draft legislation. We know there is going to be a water tax. Soon perhaps the Minister of Environmental Protection will introduce an air tax. You never know. You never know what tax is coming down the pipe that will not be construed by this government as a general sales tax.

So from the pockets of Albertans will come the user fees, will come the levies, will come the assessments, will come the property taxes, will come the health care premiums, and the Premier and the government will stand there and say: "We're protecting Albertans. Aren't we wonderful?" Not, Mr. Chairman, absolutely not.

The other folly of this particular Bill in the holding of a referendum for a general sales tax is certainly something that we are all as Albertans and Canadians experiencing at this point when we listen to debates in other jurisdictions about the potential for referendums in those other jurisdictions. Now, obviously it's on a very different issue. Nonetheless, it is the essence of the holding a referendum. When will the referendum be? What will the question say? All of those are obviously significant in the holding of a referendum, and we can't tell from this particular Bill what the question will be of course. That would be debated later.

The debate did take place when we had the Tory cousins' goods and services tax, the GST, that the entire country hated. Nonetheless, Conservatives, as Conservatives do, didn't listen to the people and imposed the tax anyway. What happened in that debate, of course, was whether or not the rates of the tax to be imposed and grabbed out of people's pockets was going to be a 4 percent sales tax or 10 percent or 7 percent or whatever. You

never know, Mr. Chairman, whether a 4 percent tax is palatable or a 10 percent tax is not palatable. Of course all of those make a significant difference as to whether or not any kind of legislation is going to be accepted by the people of Alberta.

8:50

On the amendment itself the Member for Edmonton-Whitemud has indicated – and I concur in his comments – that this particular amendment, if the Bill is going to provide any benefit at all, any benefit at all to the people of Alberta in terms of this government digging into Albertans' pockets looking for more money, because it will be getting it from user fees and premiums and levies and assessments – if the Bill is going to have any impact or meaning to the people of Alberta, it will be if the inclusion of a referendum on provincial personal income tax rate increases is included in the Bill.

Mr. Chairman, I think all members of the House should recognize that the Bill in its present form is folly. It is simply a political pamphlet. That's exactly what it is. It's a political pamphlet. Well, of course it's a political pamphlet. All you have to do is read the first preamble. It has in capital letters "Alberta Advantage" in the preamble to the Bill. Well, that's nothing more than a political slogan of Team Ralph. That's all that is. So, obviously, this is just a political pamphlet that, as the Member for Edmonton-Whitemud suggested, is just going to be dropped at the doors of Albertans, except they'll replace the front cover with a picture of the Premier. That's all this is. This Bill can't be taken seriously as being a Bill 1 which is sponsored by the Premier of the province of Alberta and which is nothing more than a campaign brochure.

So, Mr. Chairman, we know that in the present form it's nothing more than a campaign brochure for the Premier's Alberta advantage. It imposes upon us in the preamble an opinion of this government. It does nothing in requiring a referendum for a general provincial sales tax since the government continues to select the sales tax that it will introduce to collect more money. So there's absolutely no, quote, protection to Alberta taxpayers in that. The only benefit that could be derived from this is in the acceptance by members of the amendment to protect Albertans from an increase in provincial personal income tax rates.

Mr. Chairman, on that note I'll encourage all members to vote in favour of the amendment, and I'll take my seat.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Chairman. I'll be brief, because there's a lot of people that are very anxious to enter the debate, at least from the Liberal caucus.

Mr. Chairman, the constituents of Edmonton-Glenora sent me to the Legislature to represent and to safeguard their interests, so when I first saw this Bill, the Alberta Taxpayer Protection Act, I thought: well, that makes a lot of sense. Then I began to think: what kind of a cynical and even morally bankrupt government is it that would have to legislate taxpayer protection, would have to force itself by law, by an Act of the Legislature, to protect the interests of all Alberta taxpayers? I thought: well, it's obviously the kind of government that has put this province \$32 billion in debt. It's the kind of government that has passed year after year after year of deficit budgets. It's the type of government that's introduced dozens of new user fees, collecting hundreds of millions of dollars' worth of new revenues, and they don't even have the courage to admit that those revenues are collected in the form of taxes. And they are taxes.

I have to speak in favour of this amendment, because it's one of the ways to make this Bill at all palatable. It's one way to salvage this Bill, which is really nothing more than sloganeering in its present form, and it's only slightly improved sloganeering even with this amendment. Of course, I know the campaign tricks that would be played if any member dared speak against the Bill. It would be, "Oh, well, they're not in favour of protecting taxpayers." The truth is, Mr. Chairman, that it's a cynical government that's trying to manipulate the legislative process by bringing forward such a Bill and particularly such a shell of a Bill, such a flawed Bill, and such a blatantly and transparently political Bill that really does nothing, it's been pointed out, to protect the interests of taxpayers.

Now, why is it, Mr. Chairman, that this government at this time would introduce this Bill? Why is it that they're also as a government so unwilling to acknowledge the taxes that they have imposed. I mean, in the very colourful language of the Premier, when the Premier himself was asked, "Why are you cutting so drastically in health care?" he said: well, you have to hunt where the ducks are. In keeping with that analogy, that very fowl analogy about having to hunt where the ducks are, well, you know, if it walks like a duck and it quacks like a duck, then it must be a duck. These taxes, these user fees, these revenues are just that; they're taxes. They cost people the same as taxes, the government uses them the same as taxes, and in fact to call them anything else is misleading.

Mr. Chairman, I think that what we have to recognize is the political environment, an environment where this government is anxious to show that it's listening to Albertans and that it wouldn't dare do anything that Albertans don't tell them they want done. So they're anxious to try to incorporate that into law. They're anxious to have a poll, a referendum, as it were, on taxes, as though the majority of Albertans would willingly go to the polls and vote in favour of a general sales tax.

You know, Mr. Chairman, if this government really wants to govern by poll, I just wonder which poll it is they're going to govern by. Would they truly listen to Albertans when it came to a referendum on sales taxes, or would they ignore the wishes of Albertans much as they did, for example, when it came to gun control, much to the chagrin of the government and the Minister of Justice? When Albertans are polled about issues, if they give the wrong answer, they're ignored. I wonder what would happen here, whether the government would pay attention or not.

It is obviously critical that the government get its spending under control, but they must do it in a way that makes sense to all Albertans, and really what this Bill is is nothing more than a shill for the government, which is really afraid to do what has to be done in many respects yet wants to show that it's still being tough and is still somehow protecting the interests of every Albertan.

Mr. Chairman, this amendment is an absolutely essential way of making this Bill the least little bit worth while. This amendment is the bare minimum that must be accepted and must become part of the legislation if this legislation is to have any credibility whatsoever. It would be a truly cynical and empty gesture indeed if this Assembly were to reject the amendment and then go ahead to pass what would be a hopelessly flawed and shallow Bill.

Thank you, Mr. Chairman.

Chairman's Ruling Relevance

THE DEPUTY CHAIRMAN: Hon. member, before I call on the hon. Member for Edmonton-Mayfield, which I'm about to do, I've been very lenient in not sticking to the amendment. We've been all over the board, and I've always been lenient with that,

but there's got to be some relevance in discussion to the amendment. When we started talking about ducks and looks like and acts like and all that, I don't see the relevance to this amendment.

So, hon. Member for Edmonton-Mayfield, just keep in mind that we're going to stick closer to the amendment. I don't mind you using something just for comparison, but you have to talk about the amendment.

The hon. Member for Edmonton-Mayfield.

MR. WHITE: Thank you, Mr. Chairman. I'll try and keep the metaphors to a minimum.

Debate Continued

MR. WHITE: Silence is seldom a problem in this Legislature, but with this particular amendment you hear nothing but silence from those that really truly wish to speak in this Legislature. The other side sits on their hands. Here is a very simple and very straightforward amendment, that adds one more restriction, and if you truly believe that you're here for a purpose other than warming a seat somewhere and collecting a little bit of cash, then you'd enter debate on this particular item.

It is absolutely ridiculous that that side can put forward a Bill and then not speak to it. You've done all your speaking? Debate doesn't matter in this Legislature? I mean, this is Bill 1. Then we hear a whole bunch of squawking from over there but you people never, never, never speak on the record.

Chairman's Ruling Relevance

THE DEPUTY CHAIRMAN: Hon. member, before you ever got up to speak, I said that we were going to stick to the amendment. I don't think it's any member's prerogative to decide who should speak to a Bill. That is not in the amendment, nor any portion of it in the amendment.

MR. DALLA-LONGA: It's sort of related though.

THE DEPUTY CHAIRMAN: No, it's not related, hon. member. It's not related at all.

Hon. member, stay with the amendment.

9:00 Debate Continued

MR. WHITE: Mr. Chairman, I'll move away from the deafening silence and move on.

If this House truly wants to say that it wants to rule by some kind of a referendum system, then you have to enter a debate. You cannot simply ask the general public to make some kind of a judgment and to inform this House without informing, without completely, completely going through the entire tax policy. You can't isolate one tax and say, "No, we don't want to be taxed in that manner." There is – and how many times have you heard it? – but one taxpayer. It's the same pocket, but it comes out in different ways. That's all it does. There's a property tax, a school tax, a personal tax, a value-added tax, a sales tax from the federal side, there are fees, a tire tax, all of those taxes that we've heard of before in this House. You cannot simply isolate one of them, and that's what this Bill does. The amendment does not do that. The amendment broadens it to the other major category. This government could and at some point will have to do some amendments, either up or down. If you honestly believe that, you have to enter the debate and you have to inform the public.

Now, there are those economists – actually, one of the noted right-wingers of this century installed a value-added tax in England, a sales tax by any other name, and reduced the property tax, that fixed tax, so it won't move to a more progressive tax. You have to enter those debates. You have to be able to inform people that, yes, there's another way of paying their share. This is not being heard. You won't hear this at all. This is simply a sham if you're not going to enter that debate and you're not going to inform the people of the options that are there.

If you truly believe that this Bill is going to hold back the majority of this House, then it's a farce. If this Legislature, the government side, actually needs a Bill to tie their hands to say, "No, we aren't going to do that," then what is it that governs you? What kind of moral driving force says that you should be here making these decisions? We are in a representational democracy. That means, simply put, that we're here to make some decisions. If you can't make these fundamental decisions about how to tax and when to change taxes, then I say that this House is full of a number of people that perhaps should not be here.

Now, if in fact you're talking about public protection . . . [interjections] The other side can laugh and giggle. We're talking about protection of the public from the politicians they've elected. This is really farcical. If it is in fact optics, which is all this is about, then this amendment should be included. This amendment must be included. This amendment, if it is not included, will not appear as beautiful optically as you would like.

Mr. Chairman, I do hope I've stuck to the subject, and it was awfully nice of you to listen for that time.

THE DEPUTY CHAIRMAN: Thank you.

The hon. Member for Clover Bar-Fort Saskatchewan.

MRS. ABDURAHMAN: Thank you, Mr. Chairman. I rise to speak to this amendment. I believe that this is a very important amendment to Bill 1. I find it somewhat ironic that I'm standing in the Legislative Assembly speaking to an amendment of Bill 1, the Alberta Taxpayer Protection Act, after going around this province and campaigning in my own constituency and laying out the fact that fiscally we were in a mess. We had probably a \$30 billion debt that had been created by a Progressive Conservative government that continually showed to Albertans that they had a balanced budget when Executive Council knew all along that indeed it was not a balanced budget. I had many a discussion with the previous Provincial Treasurer, Dick Johnston, and he knew well that that budget was not balanced. So here we are looking at Bill 1 in an attempt to protect the taxpayer, and quite frankly it's like closing the barn door once the horse has bolted. If it wasn't so tragic, it would be quite humorous, to be quite frank with you.

I don't think it's just a sales tax, Mr. Chairman, that we need protection from. It's also an increase in provincial personal income tax, because I don't have the faith anymore, quite frankly, in governments, and I think even this government realizes that they don't have faith in governments because they've brought Bill 1 forward. What a statement that's being said to Albertans, that we've had to bring a Bill forward like this because we can't in essence trust government to manage and be fiscally responsible.

Now, the irony is, Mr. Chairman, that we're bringing forward this amendment to make sure that the provincial personal income tax is in there. I think it's rather sad that we couldn't make this retroactive or somehow found the ability within this amendment to include all the other taxes that the taxpayers in the province of

Alberta are presently faced with. It doesn't matter how you cut it. Whether it be user fees, whether it be the health care premiums, it's a tax by another name.

I can well remember saying, Mr. Chairman, to two people, Albertans in the Clover Bar-Fort Saskatchewan constituency when I was campaigning, "You know, the bottom line is that we're broke." If this was Muriel Abdurahman's personal budget or business, we'd have lost our home by now; we'd have lost the business. The reality was that we hadn't lost the province yet, but we were getting close to it before the International Monetary Fund moved in on us.

I made it quite clear to my taxpayers that, you know, when we're trying to restructure health, which should have been done a long time ago, we should certainly have been into the wellness model. The previous Progressive Conservative governments should have indeed made sure that the recommendations that came forward for public health – and I can remember Helen Hunley pushing hard to get a lot of the changes to create a wellness system over a decade ago. But the Progressive Conservative government dragged their heels and didn't do what needed to be done, whether it be in education or health. So what results, Mr. Chairman, is we have a restructuring taking place at the wrong time, quite frankly, when we're under substantial fiscal restraint. Basically what's happening isn't restructuring.

Now, you'll be asking, "What's this got to do with this amendment?" It's got everything to do with the amendment, Mr. Chairman. The bottom line was what I said to people when I was talking to them at their doors or at town hall meetings: you know, we can't afford the kind of health care system we have today. I know from my exposure to the health care system in the province of Alberta that because of the deficit that we have and the debt that we have, it's not sustainable. If you want to keep the public system that we cherish and treasure in the province of Alberta, the bottom line is to balance our budget, to pay down our debt. We may not be able to achieve that with the revenues we've got. So I said: "You've got two options. Either you reduce your health care system to something that's not comparable and sustainable to what we know today or you look at the possibility of going to the people and saying that we can't sustain this health care system; we can't sustain this public educational system without having increased revenues. You the people have to make that decision."

This is in essence what this government is doing through Bill 1. It's a charade and indeed it's insidious, because basically what they're doing, Mr. Chairman, is saying okay; if we need extra revenues and we've run out of the ability through user fees and all the other forms of taxation that they've used through this insidious process that they've put in place, we will use Bill 1.

Now, why I'm supporting this amendment, Mr. Chairman, is because knowing the track record of this government, I certainly don't want it just restrained to provincial sales tax. I also want to include an increase in personal provincial taxation.

So I would say that if this government wants to keep its promise – a promise made, a promise kept – I would ask: why did you ever introduce Bill 1? That wasn't the promise made or a promise kept. I can remember well the Premier of this province and the Provincial Treasurer saying oh, those Liberals. If they get in power, they're going to introduce a sales tax. That was a bunch of crock. You've got selective hearing. What the Liberals said and what I said at the doors – and it's well documented – was that if the revenues cannot sustain a public health system or an active treatment health system, a public education system, and that's what the people of the province of Alberta want, the only way

we'll know is through a referendum. You the people decide. I think . . .

9:10

AN HON. MEMBER: How did the vote go?

MRS. ABDURAHMAN: Well, I'm here. I'm here. That's how the vote went; I'm here. They trusted me. They believed me.

I'll tell you something, Mr. Chairman: through this Bill and through this amendment the Provincial Treasurer is eating humble pie. He's eating crow because he's doing exactly what I said and what the Liberals said during the last provincial election. We were honest. We were above board. Now they're doing the very thing through Bill 1 in this Legislature.

Thank you, Mr. Chairman.

MR. DALLA-LONGA: Mr. Chairman . . .

THE DEPUTY CHAIRMAN: You've not been recognized yet. Just before I do recognize you, I was very upset with the way we acted, but I'm extremely happy the way the last speakers were able to speak and not be interrupted. So let's keep it that way.

The hon. Member for Calgary-West.

MR. DALLA-LONGA: Thank you, Mr. Chairman. I just have a couple of comments that I wanted to add on to my previous comments. Of course, they're related to the amendment. You know, it's really important that we get this message across to the members opposite, that we have some real concerns about the intent of this Bill. We don't want this Bill to be a paid-for-by-Albertans campaign manipulation. As soon as this Bill gets passed, you know what's going to happen? The Treasurer is going to stand up and say, "We passed this Bill; we're protecting Albertans." You know, the Treasurer has said a lot of things over the years and the Premier has said a lot of things.

SOME HON. MEMBERS: What did he say, Danny?

MR. DALLA-LONGA: Well, for example, on January 27, 1993, when someone from our party confronted the Premier, the Premier said, "Mr. Speaker, I don't have to commit to a referendum. I'm saying . . . there will be no sales tax."

THE DEPUTY CHAIRMAN: The hon. Member for Grande Prairie-Wapiti.

Point of Order Relevance

MR. JACQUES: Point of order, Mr. Chairman. *Beauchesne* 459, relevancy. So far, since the speaker has arisen to allegedly speak to the amendment, he has not made any reference to the amendment. He has referred to the Bill. He has referred to the opposition. He has referred to the Premier. He has referred to politicking and other examples. He has yet to even in any way whatsoever tie his comments to the amendment. I would kindly request that we get back on the debate of the issue.

THE DEPUTY CHAIRMAN: On the point of order, hon. Member for Calgary-West.

MR. DALLA-LONGA: On the alleged point of order, Mr. Chairman. He cut me off. I prefaced my comments to specifi-

cally why I wanted to make these few comments, and if you'd have the patience and give me an opportunity, I'll get around to the amendment. Then if he'd like an opportunity, he would maybe give his comments, commenting on the comments we've gotten so far. The problem is that you get up and you make these points of order. Well, get up and debate our comments. I mean, where are we wrong? Okay?

THE DEPUTY CHAIRMAN: Hon. member, obviously you haven't got a problem hearing. Neither do I. I did make remarks before the hon. Member for Clover Bar-Fort Saskatchewan spoke, I think, or it might have been Edmonton-Mayfield. I'm not too sure. I said at the time that I want to be lenient. The hon. Member for Grande Prairie-Wapiti is one hundred percent right. You never mentioned one thing about the amendment per se. You were going on about what the Premier said. Well, we've got 2.7 million Albertans. Are you going to go through the whole process of what everybody said? Stick to the amendment, or you'll lose your turn. Talk to the amendment.

Debate Continued

MR. DALLA-LONGA: Thank you, Mr. Chairman, but as I said, speaking to the amendment, I'm trying to highlight why we are concerned about the intent of this Bill and why we feel we need to have this amendment put in place, inserted. The Income Tax Act has been in existence since 1912, and it was set up as a temporary measure. As a matter of fact, it still says that it's a temporary measure. This Bill in fact could mean nothing. The Income Tax Act was a temporary measure; now taxes are an everyday fact of life. So we're questioning the intent of the Bill. Is it political, or is it truly to protect Alberta taxpayers?

Now, Mr. Chairman, the point that I'm trying to make here with regards to this amendment is that we stopped short. If the members opposite – and they're the ones that have initiated it – truly want to show Alberta taxpayers how they're looking after their interests, all I'm saying is why stop short? If you really want to get credit and you really want to be able to wave the wand and say, "Look what we've done," then introduce the concept of personal income taxes, that we won't increase personal income taxes unless we've had a referendum. I read the quote, and that was the relevancy of reading the quote. The Premier said: we don't need a referendum to have sales taxes; my word is good enough. I'm saying, well, now here we are; we've got a Bill that requires a referendum before we can have a sales tax. That's the relevancy of my point.

MR. SMITH: You're not proposing a sales tax. You tried that last year.

MR. DALLA-LONGA: You see, the minister of economic development is once again demonstrating selective hearing. This is how they get these things mixed up all the time. No, I am not recommending a sales tax. I would never do that. As a matter of fact, we're sitting here saying that we don't even want to have increases in personal income taxes, and we're trying to get you to agree to it, and we're having a very hard time.

Mr. Chairman, with that I'll close my comments and give someone else the opportunity to speak.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Whitemud.

DR. PERCY: Thank you, Mr. Chairman. I rise to close the debate on amendment A1 to Bill 1.

MR. SMITH: A1?

9:20

DR. PERCY: A1 in my books too, Mr. Chairman.

This amendment seeks to protect Alberta taxpayers from a rapacious government. What it attempts to do is ensure that the title of the Bill lives up to the intent, and the title of the Bill is the Alberta Taxpayer Protection Act. It is not the Alberta sales tax protection Act; it's the Taxpayer Protection Act. If that's the intent, it should deal with the most important taxes that are used to extract money from consumers, and the one that is used most extensively in this province is the personal income tax.

We have no sales tax except for those that have been imposed by the Conservative government on hotel rooms, tires, aviation fuel, gasoline. There's a range of sales taxes in this province that are all specific and focused on particular commodities. They have been in fact imposed by a provincial Conservative government. The amendment, then, says that if there is going to be an increase in personal income taxes, it has to be passed by a referendum. So I would hope that hon. members would vote for this amendment.

I would also draw their attention to *The Taxpayer*, the Alberta edition, which is the newsletter that's put out by the Association of Alberta Taxpayers. I'm going to cite, not extensively, just a few paragraphs from volume 7, 1/95. I'm looking at page 3 of that pamphlet, and let me quote from *The Taxpayer* and Jason Kenney, whom you all know. Here's what in fact the Association of Alberta Taxpayers has to say.

In Manitoba's recent budget the Filmon government proposed taxpayer protection that would cover personal and corporate income taxes, the provincial sales tax and Manitoba's payroll tax. These four taxes amount to 70% of Manitoba's own-source revenue. Alberta's Bill 1 falls short in comparison.

Obviously, Manitoba voters seem to like that legislation in light of the recent results, where in fact they endorsed the government that wanted to protect the taxpayer. So we're giving this government that opportunity, but we of course would claim the credit for ensuring that there was much greater comprehensiveness in the Alberta Taxpayer Protection Act.

I would also add, again dealing with the amendment, which broadens the question that's put in the referendum, that we, of course, could have proposed within this amendment items related to user fees and the like, but we thought it wouldn't make much sense to incur all of the costs of a referendum to deal with user fees other than perhaps health care premiums, but we're going to deal with that in another venue at another time. I would just bring to the attention of the hon. Provincial Treasurer page 2 of *The Taxpayer*, which says, "Premium & fee hikes contradict 'No tax increase' claim."

I'll just quote from the last page, where it says:

No matter how you look at it, the higher premiums and fees amount to higher taxes. Premier Klein should live up to his claims, and give Albertans back the extra revenues raised.

Well, what we're talking about, then, is precisely what the Association of Alberta Taxpayers has proposed, and we're also doing it in the most democratic fashion, through a citizen's initiative, through direct referenda. To vote against this Bill is to vote against what the Association of Alberta Taxpayers wants. It is to vote against citizen's initiative. It's to vote against direct democracy.

So I would urge all hon. members to support this amendment, which calls for personal income tax increases to be subject to referenda just exactly as any sales tax introduced by the Conservative government would be subject to referenda. If they don't do it, then they're flying in the face of Alberta taxpayers, the Association of Alberta Taxpayers, and public opinion. The issue here is no tax increases, no hidden user fees, no health care premiums, no sales tax, and certainly no personal income tax increases. That's the issue that we're going to vote on this evening.

With those comments, Mr. Chairman, I'll take my seat.

THE DEPUTY CHAIRMAN: The hon. Member for Edmonton-Whitemud has moved amendment A1 to Bill 1, and I don't have to read it. We've been discussing it for an hour and a half. All those in favour of the amendment as proposed by the hon. Member for Edmonton-Whitemud, please say aye.

SOME HON. MEMBERS: Aye.

THE DEPUTY CHAIRMAN: Opposed, if any, say no.

SOME HON. MEMBERS: No.

[Several members rose calling for a division. The division bell was rung at 9:27 p.m.]

[Ten minutes having elapsed, the Assembly divided]

For the motion:

Abdurahman	Dickson	Sekulic
Collingwood	Germain	White
Dalla-Longa	Percy	Zariwny
Decore	Sapers	Zwozdesky

Against the motion:

Ady	Havelock	Renner
Burgener	Herard	Rostad
Calahasen	Jacques	Severtson
Coutts	Laing	Smith
Dinning	Magnus	Stelmach
Doerksen	Mar	Tannas
Dunford	McClellan	Taylor, L.
Evans	McFarland	Thurber
Forsyth	Oberg	Trynchy
Gordon	Paszkowski	Woloshyn
Haley	Pham	Yankowsky

Totals: For - 12 Against - 33

[Motion on amendment A1 lost]

[The clauses of Bill 1 agreed to]

[Title and preamble agreed to]

THE DEPUTY CHAIRMAN: Shall the Bill be reported? Are you agreed?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed, if any? Carried.
The hon. Deputy Government House Leader.

MR. EVANS: Thank you, Mr. Chairman. I now move that the committee rise and report.

[Motion carried]

9:40

[The Speaker in the Chair]

THE SPEAKER: The hon. Member for Dunvegan.

MR. CLEGG: Thank you, Mr. Speaker. The Committee of the Whole has had under consideration certain Bills. The committee reports Bill 1.

Mr. Speaker, I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official record of the Assembly.

THE SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE SPEAKER: Opposed? Carried.

head: **Government Bills and Orders**
head: **Third Reading**

Bill 5
Public Health Amendment Act, 1995

THE SPEAKER: The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thanks, Mr. Speaker. We just got Bill 5 out of committee last evening. Last evening of course we were talking about both the good part of Bill 5, which of course is that what it is attempting to do is something that is long overdue in the minds of many, but we were also talking about some of the deficiencies in the Bill, those primarily being that the Bill does not include in legislation some of the most significant parts of what has to happen.

THE SPEAKER: Just for the record, the sponsor of the Bill should move third reading before we can have debate on it.

The hon. Member for Lesser Slave Lake.

MS CALAHASEN: Mr. Speaker, I move third reading of Bill 5.

MR. SAPERS: Mr. Speaker, I know they just want to slide this by without any more debate, but now that it's been moved, I'll resume my train of thought, which was really just reflecting on the debate so far on this Bill, particularly the point that the Bill, while it embodies a wonderful idea, gives us very little to hang our hats on. In fact, it's another one of these shell Bills which is devoid of detail and leaves so many things to regulation.

The amendment proposed by the opposition of course would have seen all regulations attendant to this particular Bill debated in public by being referred to the Standing Committee on Law and Regulations. Unfortunately, the government I guess had the whips on on that amendment, and that amendment was defeated. That's really a shame, because certainly nobody on this side of the House is afraid of seeing these regulations debated and open and having a broad public support for what really is a very important Bill. I'm disappointed that on the government side that same attitude wasn't embraced.

Now, if you look at the Bill, I'm particularly looking at the section that talks about what regulations it may deal with. I look at subsection (q): regulations can be made

respecting the extended health services that may be provided by a registered nurse providing extended health services and respecting the terms and conditions under which those services may be provided.

Now, that in and of itself is very problematic. While we have to respect the input of stakeholders and we have to respect the sensitivity and the striking of a balance between the interests of communities, particularly those underserved communities, and the interests of the professional groups that will be affected, we also of course have to recognize that there should be some degree of fairness or equity in how this Bill, once passed, is implemented. To simply leave it to order in council or to the Minister of Health of the day to formulate these regulations and sort of at their whim or will dictate the terms and conditions of employment I don't think is a fair and equitable practice.

For example, Mr. Speaker, you could have the situation where in one health region in this province the regional authority itself becomes the employer of these expanded duty nurses. In another health region you may have the region saying, "We'll have expanded duty nurses but only in the employ of a physician," so that they can only work in a physician's office. In another health region you could have a third option. In fact, you could have 17 options. Within those 17 options you could have more and more derivatives, because of course we've also got the voluntary boards and the hospitals that they operate. It could end up being a very unfair application of the law, and it is for that reason that we would like to see the regulations fully debated before the Bill is brought into force.

Now, Mr. Speaker, regulations will also deal with the additional training and experience that may be required – may be required – by a registered nurse providing extended health services to be eligible to provide particular extended health services. Well, we've seen this government float a trial balloon – fortunately, that trial balloon was made out of lead, so it didn't get very high – about the health workforce rebalancing and the government's intent, really, to gut the whole health disciplines regulation and structure in this province. We note that we're still waiting for another draft of that discussion paper on the health workforce rebalancing, but at the same time we're waiting for that, we see a Bill that may be trying to do through the back door what the government consulted on and couldn't quite get past the public at that point. Maybe it's because of that experience that the government is unwilling to have the draft regulations exposed to open sunlight, because of how soundly beaten around the head and shoulders the traveling road show was as a result of the flawed discussion paper on health workforce rebalancing.

So I would suggest to the Assembly that while this Bill is a Bill that deserves support because of its overall intent, because of the fact that it's overdue that nurses particularly nursing in underserved areas be allowed in a much more forthright way, I also suggest to the Assembly that we should have the courage to go further, to put what we mean into the legislation, to say what we mean, to be able to defend it and debate it and seek full input from all stakeholders and in fact from all Albertans so that everybody will know the true impact of this, so that there can't be hidden meanings and there can't be limitations put in after the fact, so that nurses will know they will be free to pursue expanded duties elsewhere in the province, so physicians will know exactly how it is that they will be sharing responsibilities with the nursing profession . . . [interjections]

THE SPEAKER: Order please. Keep the conversations at a lower level, please, hon. members.

The hon. Member for Edmonton-Glenora.

MR. SAPERS: Thank you, Mr. Speaker. I know that it's just excited agreement with the points that I'm making. I look forward to the comments from the government side.

Mr. Speaker, I have made the essential points that are necessary at this point, so I will pass the floor to a colleague.

9:50

MRS. McCLELLAN: Mr. Speaker, I will keep my comments brief, as I know other members do want to enter the debate, but I did want to make a few comments on Bill 5. I want to commend my colleague for carrying this Bill forward because of certainly the great benefit this amendment will provide in particular to her constituents in the short term. I also want to acknowledge how hard she has worked to ensure that this Bill does go forward on behalf of her constituents, who certainly are in need of these services.

I also want to acknowledge, Mr. Speaker, the work of the Alberta Association of Registered Nurses, the College of Physicians and Surgeons, the Alberta Medical Association, and the Alberta Pharmaceutical Association for also collaborating on this Bill. One of the commitments that we made at the time of discussion of introducing this amendment was that we would prepare draft regulations and that we would have discussions with the stakeholder groups, with the affected groups, particularly the professionals involved in the development of this to ensure that the development of the regulations was in keeping with the advice from the professionals who are involved in that. Certainly that would be one reason that I couldn't support the amendment of the hon. Member for Edmonton-Glenora, as well-intentioned as I'm sure it was. I could not support that amendment because I think it's integral that the professionals, the stakeholder groups, be involved in the development of those regulations. They have been. The hon. member carrying the Bill has been very careful to meet with those groups on more than one occasion to ensure that we are working totally in co-operation with them.

Mr. Speaker, I had the opportunity this morning to speak to the Alberta Association of Registered Nurses' annual meeting. Certainly I can tell you that the association is very encouraged with the introduction of this Bill, is following the debate on this Bill very carefully, and is certainly very hopeful that it will move forward. I think we must give credit to the work that was done by the association and other groups that they brought in in discussing the use of the training that nurses have in this province.

The other thing that's very important in this Bill is the commitment to training, to ensuring that training is available for nurses in advanced practice. My hon. colleague the minister of advanced education and his department will be working very closely in those areas.

So, Mr. Speaker, I did want to make a few comments to support this Bill. I think it's a very important move. I believe that the Bill and its legislation have all of the protection that is needed and required. Again, I commend my colleague for bringing this forward and for the work and the time that she has put in in working with the stakeholder groups to ensure that the Bill and the regulations that will accompany it indeed reflect the needs of the people of this province and ensure the highest quality of standards and services that can be performed by our nurses.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thanks, Mr. Speaker. A moment ago, when I looked at all the gesturing coming from my friend from Calgary-Varsity, I thought we were in a charades tournament. I understand that he's trying madly to convey a signal, but I'm going to ignore that because I want to speak briefly to a principle which is at issue in Bill 5.

I have a great deal of admiration and respect both for the Minister of Health and for the sponsor of the Bill, but neither of those members quite appreciates the point that members in opposition have tried to make repeatedly, first at second reading when it came up for debate on April 11 and then the other night in committee. The point is that every time the government has resisted referring the regulations to the Standing Committee on Law and Regulations, the response has been: we're consulting with the stakeholders. That's put forward as being a full answer. Well, the principle at stake here is that in the same way that the Minister of Health says, "I will consult with physicians, but I make the decision because I'm the Minister of Health," she recognizes that this ultimately is the body. It's the Legislature that has the last word, has the responsibility.

I can't believe that we're abdicating a substantial area of lawmaking to the stakeholders. I'm not saying that you don't consult with those people. That's absolutely vital. It's essential that you have the consultation. But I can't believe that what the government is saying, as they are in effect by their action in opposing the amendment the other night and continuing to put the Bill forward without a commitment to refer the regulations to the Standing Committee on Law and Regulations, is that we're going to let stakeholders author the regulations, and that's no longer somehow part of the legislative process. Mr. Speaker, it just isn't so.

I think it's fine to do the consultation, but this is a perfect example of a Bill that is sound in principle. It's supported, I think, by every member in this Chamber. It's broadly and widely supported by people in the communities that are going to be directly affected and by health care workers. Why wouldn't you have the consultation but ensure that the regulations are ultimately vetted in front of a group of MLAs? It's a really simple principle. It's a simple point, and I don't understand why the government is prepared to abdicate that kind of responsibility. That's part of lawmaking. That's part of the legislative function. As I say, I don't understand why any members in this Chamber would think that once the professionals, the stakeholders have approved something, that's the last word. Well, I don't think it can be. I don't think it should be. I think it's a problem. If in fact, as the sponsor said, this Bill is the culmination of consultation that's gone on since 1992, surely there's been ample time to draft the regulations and simply make that commitment to refer it to the committee chaired by the Member for Calgary-Shaw. Surely we can't insult that fine member any longer by letting him languish in the remotest corner of this Chamber with no work to do.

Mr. Speaker, I think there's a principle here. We have some underutilized talent in the back corner of the Legislature. I really think that the government ought to reconsider the position they've taken, that the sponsors should reconsider the motion and take what I think is a very sound idea to the next step to ensure that this becomes a model for the way we can deal with all kinds of statutory instruments in this province.

Thanks, Mr. Speaker.

[Motion carried; Bill 5 read a third time]

Bill 15 Charitable Fund-Raising Act

THE SPEAKER: The hon. Member for Pincher Creek-MacLeod.

MR. COUTTS: Thank you, Mr. Speaker. I appreciate the opportunity that I've had to introduce Bill 15, the Charitable Fund-Raising Act, and take it through second reading and particularly acknowledge the input in Committee of the Whole that not only colleagues on this side had but the input and amendments that were put forward to the House here last evening to make better legislation for the protection of all Albertans, particularly when it comes to fund-raising.

I therefore ask to move third reading of Bill 15, the Charitable Fund-Raising Act.

THE SPEAKER: The hon. Member for Clover Bar-Fort Saskatchewan.

10:00

MRS. ABDURAHMAN: Thank you, Mr. Speaker. I rise to speak to Bill 15. We know that there was a need to either amend the Public Contributions Act because of the findings of the Alberta Court of Appeal that indeed it was in violation of the Charter of Rights, and I certainly acknowledge that the government of Alberta had to do something to address the difficulty that came from that decision, but in essence what I've seen happening is a reactive Bill being developed instead of a preventative Bill. I say preventative because when you're looking at the title of Bill 15, the Charitable Fund-Raising Act, it should be a piece of legislation that you have full trust will indeed do the job it should do to ensure that Albertans know that the greatest portion of their dollar finds its way to that charity of choice. Unfortunately, I don't believe that Bill 15 has in essence done that.

Now, I know that there has been a commitment through I believe the Minister of Municipal Affairs, consumer and corporate affairs, and also the mover of the Bill to the people who are the backbone of charitable organizations to have full input into the regulations, and I would hope that that commitment that's been made to them is fulfilled a hundred percent. To me, the success of this Bill lies in those regulations.

My preference, Mr. Speaker, was demonstrated through the amendments that were put forward on behalf of the Official Opposition, which were really addressing I believe in a meaningful way the for-profit organizations or corporations and at least making an attempt within legislation to set a level of what percentage of every dollar raised should go to the charity or cause. Of course, through the Committee of the Whole process unfortunately two of the amendments that would have achieved that to some degree were defeated by the majority government. I think that was unfortunate, because I think it would have improved this legislation substantially.

The other area is that the minister who is responsible is not acknowledged in this Bill, and I believe there was total agreement on both sides of the House that it should be the Minister of Justice. That is the minister that oversees this Bill. When I moved the amendment for that to be put in the Bill, unfortunately once again the government in their wisdom voted that down as well with their majority.

Now, it was really refreshing, Mr. Speaker, and gratifying that suddenly the government of the day acknowledged the importance of volunteers, particularly in the week that we're thanking volunteers across the province. They actually supported an

amendment from the Official Opposition, and that was the definition for "volunteer" within Bill 15. I have to commend the Legislature, the government members for supporting it, particularly when it was the week to acknowledge volunteerism. I wish they had gone that extra mile and supported the other amendments. Yes, the other amendments that were brought forward by the government have improved the Bill to some degree.

Mr. Speaker, I just want to reiterate that it is a reactive Bill. One of the areas where I see it being totally reactive and I question – and many people in the province of Alberta are also questioning this – is if really the complete authority of municipalities indeed needs to happen in Bill 15. I've talked to many charities and indeed even people in the media who identified that this could be a problem. I think back on my mayor days. You know, when somebody comes to your door for the fourth or fifth time in the same day asking for a donation, quite frankly Albertans get fed up. I don't see any mechanism now that we're going to be able to – and I think it's a positive thing for charities, that we don't abuse the privilege of intrusion into the home, and that's been recognized through the times that people can phone you. That was a good inclusion. But the fact that we don't deal with the door to door I think is flawed.

So, Mr. Speaker, I will acknowledge the necessity for Bill 15. I don't think it goes far enough. I also want to say to the government of Alberta that I know other provinces are looking at this legislation to see the quality of it, and I know that many states are also looking at it. So I hope that if they start to recognize the weaknesses within it, because it is flawed, they will come back and deal with it through amendments at the next session of this House.

Thank you, Mr. Speaker.

THE SPEAKER: The hon. Minister of Municipal Affairs.

MR. THURBER: Thank you, Mr. Speaker. Just a couple of comments that I feel should be brought forward at this time. Comments have been made that nobody was involved in the regulations and in the establishment of the regulations. The majority of stakeholders that are involved in the public contributions will be involved and are involved in the development of the regulations. So I think there are some safeguards there that allow the people that are actually the stakeholders in this to be involved in the development of these regulations. I think that's very important, and I think it's very key that they be involved.

[The Deputy Speaker in the Chair]

The other thing that we have agreed with is the volunteer section of it. We need a better definition. We're prepared to admit that, and we're doing that with your amendment from the opposition. We think that is good.

If in fact, as you say, the Minister of Justice should be involved in this, well, I'm fully prepared to give the administration of this Act over to the Minister of Justice. I'm not sure that that's a key component of the whole process, but certainly if he wants to have it, I will relinquish that.

The other thing that I have to bring forward, Mr. Speaker, is the fact that volunteers in Alberta are the best volunteers of any place in this country. We're trying to recognize that and we will recognize that, not only in the Act but in the regulations. I commend them. I think it's important that they're there. I'm very proud of the volunteers in the raising of funds for Boy Scouts and cancer clinics and all the rest of them. We have the best in

the world, we have the best in the country, and I'm very proud of these people.

We have to establish an Alberta overlay on the rules and regulations within this province. Before this time municipalities were allowed to do different things, and we think that in consultation with the municipalities we can arrive at an Alberta overlay. We're talking about the Alberta advantage. We're talking about Alberta as a province. We're not talking about individual jurisdictions from here and there. We want that to happen, and we think that through this legislation that definitely will happen.

The other key to the whole Act, to the whole jurisdiction of this, is that we want the consumers to be better informed. We think and I think personally that the people, the consumers in this province, the ratepayers in this province, the taxpayers in the province, the people that vote in this province have the ability to make a decision when somebody comes to their door and says, "I'm collecting for X, Y, Z" or whatever the charitable organization is, as long as they tell them at the door – and they're required to tell them at the door – how much is going to the charity and how much they're going to keep for developing the charity and for administration.

Prior to this Act coming in somebody could go out and they could say, "Well, we need an organization to provide us with \$10,000 in funds." With this legislation they have to tell them that there's going to be \$10,000 raised for the organization, and if they're raising \$150,000 for their own purposes, they have to tell them. I believe that the people of Alberta are intelligent enough to make a decision at that point in time. If they're only going to raise \$10,000 for the Girl Guides or the Scouts or whoever it may be and they're going to take \$150,000 for themselves, well, people will say, "No, we don't believe that's fair, and we want to know the accurate information as to what's going on."

Thank you, Mr. Speaker.

10:10

MR. DECORE: Well, Mr. Speaker, a number of us spoke at length to this Bill. We spoke to the Bill on the basis of an analysis of the Bill and from our own experiences as councillors coming from various parts of Alberta. I must say that I'm disappointed in the hon. member who moved this legislation in not seeing him come back with the kind of explanations that would have satisfied us, with the kind of amendments that would have satisfied us. I'm aghast, listening to the Minister of Municipal Affairs saying that consumers want to be better informed and that this legislation is somehow going to better inform them. All the minister has to do is look at – and if hasn't got it, I'll send it to him, but it is tabled and he should have had a look at it. It's an analysis done by the Executive Committee of the city of Edmonton, and it says that this legislation should be shelved, should be redone, should be done in such a way to protect the public.

Well, Mr. Minister, have a look at it. You're nodding your head. Let me read it to you.

That Council urge the Province to amend Bill 15, with provisions that allow the donating public sufficient information to make informed decisions.

They say that you're not doing what you should be doing, and you stand up and you say that you're doing it. You aren't doing it. There is no provision in this Act that says, for a person who's coming to the door, that they have to tell about the directors, that they have to tell about the scope, that they have to tell if the money's going to be spent in Edmonton or in Calgary or in Grande Prairie. There are no requirements to that effect. What

document are you reading, Mr. Minister, that tells us that the public is protected? It must be something you're reading that's different than we are.

The city of Edmonton says it's not proper legislation. The city of Calgary says it's not proper legislation. Then the mover of the legislation tries to comfort us by saying that stakeholders were talked to, that the city of Edmonton was talked to and the city of Calgary was talked to and the University of Calgary was talked to and the University of Alberta was talked to. Well, two cities that represent – and let's just get this into perspective. The city of Edmonton delegates authority to the Executive Committee. This, then, is a decision that represents all of the citizens, because it was a unanimous decision, hon. member, a unanimous decision of the Executive Committee that says: this legislation isn't any good; it doesn't protect the public; it's got to be amended and changed to protect the public. Approximately 700,000 people that are represented by this council, through its Executive Committee, say that this legislation isn't good enough. And you try to comfort us by telling us that you talked to the stakeholders. That ain't any comfort, and it isn't any comfort for the minister to stand and say that the consumers are being better informed, that they're being protected, when the analysis by both cities says that that isn't the case. That isn't the case.

Mr. Speaker, it also bothers me when hasty legislation, ill-conceived, poorly drafted, comes forward with an explanation from the minister like we heard today, and he says: oh, we're going to solve the problems by regulations. The problem is that there's too much of that kind of "We're going to solve the problems by . . ." Then the hon. member at that far – I can barely see him over there. That poor gentleman is waiting for a regulation to go to his committee for a discussion, and I'm waiting to attend the meeting so that there's a discussion. It's offensive, hon. minister, when every jurisdiction in Canada to my knowledge, every Legislature, has such a standing committee like the hon. member from way out there in the northeast part of Edmonton, who comes from Calgary . . .

MR. COLLINGWOOD: That would be Julius' area.

MR. DECORE: No, that's not Julius I'm talking about. Mr. Speaker, Calgary-Shaw is the hon. member that I'm speaking of.

It's offensive to keep saying that we're going to solve all the problems by regulation. We know that in Alberta – it's the only province I know of that doesn't allow its regulations and law committee to meet to discuss regulations and allow stakeholders to come forward and make their case.

Then the hon. member who presented this Bill tries to comfort us by saying: oh, there's consumer protection. He uses as an example the fact that you can appeal a decision of the minister on a question of law or jurisdiction to the courts. That's great comfort, hon. member, for somebody that's been bilked or the many thousands of Albertans who may be bilked because of this really poor legislation. I am really troubled by this Bill, and I won't support it.

THE DEPUTY SPEAKER: The hon. Member for Calgary-Buffalo.

MR. DICKSON: Thanks very much, Mr. Speaker. Just three observations I wanted to make briefly to Bill 15.

The first one is that almost a year ago I remember asking in question period to the current Minister of Transportation and

Utilities what he planned to do now that we had the court decision that had in fact struck down a part of the previous legislation that was found to have offended the Charter. I'm afraid I don't have *Hansard* here from 1994, but if I can paraphrase, his response was: we're going to do an extensive consultation with everybody who's going to be affected; we're going to ensure that we solicit input; we're going to gather that, assemble it, and bring forward a piece of legislation that will pass muster, that will remedy the problem identified by the court.

Well, here we are almost a year later. We have a piece of legislation which the government is now just on the verge of pushing through and having it become law, and what we find is that what was represented by the Minister of Transportation and Utilities has not happened. What we find is that we have the two largest urban areas in the province, the cities of Edmonton and Calgary, both saying: we have significant problems with this piece of legislation. Does the government consider leaving it on the Order Paper, bringing it back in the fall, recrafting the thing to address those kinds of concerns? No. What we have instead is a lot of talk about: we talked to them. Nobody says we listened to them. Simply the answer is: we talked to them. Well, I think what we needed was more listening and less talking. So I'm disappointed that the government didn't follow through on a commitment they made almost a year ago.

The second thing is in terms of the amendments, and I address this specifically to the 16 Conservative members from the city of Calgary. That city, that I represent a part of, made some very detailed submissions to MLAs. They met with the Conservative caucus I think two Fridays or so ago. One of the items on the agenda was specifically Bill 15 and the problems the city of Calgary had with it. I don't know how many of the Conservative members attended that meeting with the city of Calgary. We certainly know the kind of information and the submissions made by the city of Calgary, and I'm disappointed to say, Mr. Speaker, that with the rejection of the amendments proposed by my colleague, the concerns of the city of Calgary have not been addressed. I'm disappointed in my fellow MLAs from the city of Calgary on the government side, that they weren't prepared to respond to those very serious and substantive concerns that had been raised.

The third item is that I'm concerned when I hear the minister say, as he did, that he's talked to the stakeholders. I've already pointed out that what we wanted to hear was: we listened to the stakeholders. They didn't say that. The minister has only got it half right. It's one thing to take the regulations out and solicit input from the stakeholders. The next step, the missing step, is to bring it back to the Standing Committee on Law and Regulations overseen by MLAs duly elected, and that should happen before those regulations become law.

If I say anything more, anything positive, the Member for Calgary-Shaw is going to be expecting a campaign contribution in the next election. I wouldn't want to mislead him to that extent, but as the Member for Edmonton-Glengarry said but a moment ago: we've got the select special committee of this Chamber, and the Zander report in the early 1970s said that we have to refer regulations and statutory instruments to that committee. We still don't do it. It's a problem. It's a problem with other legislation. It's a problem with Bill 15, and I wanted to express those concerns with Bill 15 at this last stage.

Thanks, Mr. Speaker.

10:20

MR. SAPERS: Mr. Speaker, when I reviewed the Bill and I reviewed the debate as it proceeded by referring to *Hansard*, it

became apparent to me that the mover of the legislation I think was well intended and the government obviously is trying to address issues raised by a court decision. It also became apparent that there may not be a real depth of understanding of what it is that charities are up against and what it is the public is concerned about.

Now, I for one, like many members of this Assembly, have dedicated many, many hours to charitable fund-raising for various organizations. I've gone door to door, and I've stuffed envelopes, and I've worked in telephone rooms, et cetera, as I know many hon. members have, and I know the kinds of questions that the public raises. Those questions, I think, are well documented in the concerns raised by the city councils across this province and also by the Centre for Philanthropy, the Canada West Foundation, and others. Certainly the Canada West Foundation has made a submission on Bill 15. I'm not sure whether the mover of the legislation or the minister responsible has even paid attention to it or read it and if they've made note of the concerns documented, if they're aware of the Gallup poll that was done which shows that almost 50 percent of people polled are concerned about how charities spend their money while fund-raising.

More than half the people polled, Mr. Speaker, say that they're not sure that charities are as trustworthy today as they were 10 years ago. That's because of their experiences of being bilked and the lack of information and access to information. Most dramatically, three-quarters of the people in that Gallup poll – three-quarters – say that they want more regulation. Now, they want more regulation, but they want to know what the regulation is. They're not just going to trust a Lieutenant Governor order in council that says: "It's okay; trust me. I'm from government, and you can trust me." They're not going to trust that. They want more regulation. They want to know what that regulation is. They want to be part of that. They want to be part of that decision-making.

This Bill does solve some problems, but it doesn't go far enough, and there is absolutely no reason why it couldn't do the whole job. There's no reason why there couldn't be more full and complete disclosure. Mr. Speaker, the public wants to preserve the trust, they want to re-establish that trust between charities and donors, and this Bill doesn't help do that. That trust can be best re-established with the provision of information.

It's not just a financial report, which many people will have perhaps some difficulty understanding. I note that because it's up to the minister now to determine by regulation the method by which financial disclosure statements will be made. It's left to regulation to determine the fees that can be imposed. It's left to regulation to determine the licensing requirements. It's left to regulation to determine the calculation methods for what is gross

proceeds from fund-raising. There are so many other things left to regulation that it's no wonder the public will have difficulty understanding what's in the financial statements and the requirements that are imposed.

Other deficiencies in the Bill include that there's really not a whole range of criteria that have been listed for what fund-raising activities have to be registered. In fact, the Bill only says that if it's going to raise more than \$10,000, we will force you to register. But that doesn't really address the issues attendant to multilevel or multisite charities. It doesn't attend to the issues resulting from ongoing capital campaigns. It doesn't attend to those one-time only community efforts perhaps that are going to be so much more necessary now to fund acute care in hospitals, to fund new equipment, because we know that those needs aren't being addressed through the government. There's a range of criteria which really should be in the Bill, and they're not. Maybe they'll show up in regulation, but maybe they won't, and who's to know? They certainly won't be debated.

Bill 15 is sort of a half-hearted attempt, and that's really disappointing, because this is a government that has said: we're going to rely more on community effort; we're going to rely more on volunteers. The minister responsible just stood here and talked about how proud he was of volunteers. But, you know, that's just lip service. That's just lip service when you then impose this kind of flawed, half-baked legislation on those same volunteers that you're going to be relying on more and more to meet community needs, and you really hamstring, you hamstring charities and their ability to raise more funds, because this Bill does nothing to re-establish that trust, that trust that's so essential when somebody knocks on your door or somebody rings your phone and asks you to make a donation to a worthwhile cause. The public has to be convinced now because there are so many competing interests. Unfortunately this Bill just doesn't make that link.

It's very difficult to support this Bill in its present form, and it really is a shame that the amendments brought forward by my colleague from Clover Bar-Fort Saskatchewan were not given more fair consideration by the government. At least we didn't have the benefit of a detailed response from the mover of the legislation as to why those amendments couldn't be supported. So I'm afraid that as much as I would like to support this Bill, Mr. Speaker, because of the small benefits it would bring to the field of charitable fund-raising, I can't support it because of the major deficiencies.

[Motion carried; Bill 15 read a third time]

[At 10:27 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]