

## Legislative Assembly of Alberta

**Title:** Tuesday, May 6, 1997      **8:00 p.m.**  
**Date:** 97/05/06

head: **Committee of Supply**

[Mrs. Gordon in the Chair]

THE DEPUTY CHAIRMAN: I would call the Committee of Supply to order.

We are going to designate two subcommittees tonight. One will remain in the Assembly, and the other will go to 512. I have good news to report tonight; this is the last of the subcommittees. We look forward to hearing the estimates of the Provincial Treasurer as well as the estimates of the Department of Federal and Intergovernmental Affairs. I would ask those that are to go to 512 to please do so, and we will undertake in the Assembly to hear the estimates of the Provincial Treasurer.

[The committee met as subcommittees A and B from 8:02 p.m. to 10:10 p.m.]

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

The hon. Member for Innisfail-Sylvan Lake.

MR. SEVERTSON: Thank you, Madam Chairman. Subcommittee A of the Committee of Supply has had under consideration certain resolutions of the department of Treasury, reports progress thereon, and requests leave to sit again.

THE DEPUTY CHAIRMAN: Does the committee concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? Carried.

MR. TANNAS: Madam Chairman, subcommittee B of the Committee of Supply has had under consideration certain resolutions of the Department of Federal and Intergovernmental Affairs, reports progress thereon, and requests leave to sit again.

THE DEPUTY CHAIRMAN: Does the committee concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY CHAIRMAN: Opposed? Carried.

Government House Leader.

MR. HAVELOCK: Thank you, Madam Chairman. I move that the committee do now rise and report.

[Motion carried]

[The Deputy Speaker in the Chair]

THE DEPUTY SPEAKER: Order. The hon. Member for Lacombe-Stettler.

MRS. GORDON: The Committee of Supply has had under consideration certain resolutions of the department of Treasury and the Department of Federal and Intergovernmental Affairs, reports progress thereon, and requests leave to sit again.

THE DEPUTY SPEAKER: Does the Assembly concur in this report?

HON. MEMBERS: Agreed.

THE DEPUTY SPEAKER: Opposed? So ordered.

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

THE DEPUTY SPEAKER: The hon. Government House Leader.

### Bill 9 Election Amendment Act, 1997

MR. HAVELOCK: Thank you, Mr. Speaker. I hereby move second reading of Bill 9.

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

MR. SAPERS: Thanks, Mr. Speaker. Bill 9 brings Alberta legislation in compliance with a recent ruling by the Alberta Court of Appeal. It's a little bit ipso facto. The office of the Chief Electoral Officer issued a press release on March 5, '97, saying that the prohibition against partisan political broadcasting had been struck down. That judgment was filed by the Alberta Court of Appeal in the case of Somerville versus Canada on June 5, 1996. So there was considerable time for the government to have dealt with this. They chose not to. In fact, I seem to recall we even had an emergency session of the Legislature – well, an unusual summer session of the Legislature.

In any case, the good news is that on this matter the provincial government wants to comply with the federal law. Of course, we've seen so many examples in the past where they were a scofflaw government, Mr. Speaker.

There are two very interesting parts of the Court of Appeal judgment that I just wanted to make comment on before I indicate support for Bill 9. It's very interesting – and this is referring to section 213 of the federal legislation, which judgment has been extrapolated to cover provincial legislation as well. What this judgment reads in part, talking about advertising:

Communication of that information would be most effective very close to polling day, as voters make their final selection. This communication is consistent with a fair electoral process in a free and democratic country. By prohibiting advertising at this critical time, s. 213 interferes with an association's right to exercise its free speech, inform voters, and promote its legitimate interests by endorsing a party or candidate at a critical time. In my view, the restriction contained in s. 213 is a restriction on the freedom of association as well as a restriction on freedom of expression.

So the judgment wasn't narrow in that it dealt with freedom of association and freedom of expression.

The judgment also reads, however – I found this very interesting – that the prohibition contained in 213 of the federal law:

In my view, this section is as apt to have exactly the opposite effect – namely, the provision of an advantage to the party in power.

So it was considered to advantage the party in power to continue the prohibition.

Now, I'm not sure that I would agree entirely with that part of the ruling, but I thought it was worth mentioning that it is in fact these two parts of the judgment that have led the Attorney General for the province of Alberta to bring in this reform at this time.

I of course will be voting in support of Bill 9 and the amend-

ment that it contemplates. It is the right thing for the government to do, after all, and we should thank the National Citizens' Coalition for bringing it to national attention. I hope that the government will use this as an opportunity to change its pattern of behaviour towards federal statutes and regulations and, instead of fighting the federal government at every opportunity, will in fact do its utmost to support the federal government in its maintenance of law and order and good governance in this country.

**10:20**

MR. DOERKSEN: Mr. Speaker, while I understand the intent of this legislation and the reasons behind it, there is something within me that – and I'm going to support it in second reading. We turned this argument into freedom of speech and everything else, but really it comes down to common sense, Mr. Speaker. Why I really dislike advertising on election day: it comes down to the fact that if you haven't done your homework before the day of the exam, on the day of the exam it's too late.

THE DEPUTY SPEAKER: The hon. Member for Edmonton-Meadowlark.

MS LEIBOVICI: Thank you, Mr. Speaker. I, too, would like to congratulate the government on following the rulings that were put forward with regards to this particular issue. It's interesting that when a judgment comes from one of the courts in Canada, it's not necessarily this government's position to follow what the courts have ruled. Had I had the opportunity to ask some questions with regards to this issue in the estimates that we just came from, FIGA, I probably would not be standing here in the Legislative Assembly right now to ask what kind of advice the department had provided with regards to this particular issue, whether in fact it had been looked at, and if there are any repercussions as a result of not having had the Election Amendment Act, 1997, passed earlier.

As I indicated, we are in support of this particular Bill. It's unfortunate that the process that we just went through in room 512 discussing the budget did not allow for enough time to ask all of the questions that we needed to ask with regards to the role of Federal and Intergovernmental Affairs. I would hope that in the future one of the things that is looked at is that it is a matter of accountability, that it would permit for enough time for the opposition members to ask pertinent questions, because as we see with this Bill in front of us, it would have been useful to have looked at what the department's role was vis-à-vis advising the ministers as well as the Premier on this particular Act.

I could go on – I know I probably have about 16 minutes left – but in consideration of the support that we're giving to this Bill, I will not at this point in time.

Thank you.

[Motion carried; Bill 9 read a second time]

THE DEPUTY SPEAKER: The hon. Minister of Agriculture, Food and Rural Development.

#### **Bill 4**

#### **Meat Inspection Amendment Act, 1997**

MR. STELMACH: Well, thank you, Mr. Speaker. It's a pleasure to move second reading of the Meat Inspection Amendment Act, 1997.

This Act is considerably more important than Bill 9, because if we don't eat safe and nutritious food, we'll perish before we get a chance to vote. So I would ask this Legislature's support. It's really a housekeeping Bill. If the House permits me, I'll briefly go through the purpose of the Bill.

There have been a few recent court decisions with respect to seizures of meat in private dwellings, and as a result, this Act is to ensure that the meat inspectors acquire a search warrant before they enter those private dwellings. The other change, of course, is to include all peace officers and executive officers of a health unit as ex officio meat inspectors. The third: to include voluntary payouts of lesser offences to the Act and regulations by violation tickets under the Provincial Offences Procedure Act. Right now, all of these offences must go to court, and there's a considerable delay. It's also to include the provision in the Act for a multilocation abattoir.

Thank you, Mr. Speaker.

THE DEPUTY SPEAKER: The hon. Member for Lethbridge-East.

DR. NICOL: Thank you, Mr. Speaker. I think this is a really good Bill. I agree with the minister on this. I guess I wouldn't have classed it as a housekeeping Bill; I would have classed it more as a fine-tuning Bill. It's bringing into legislation some of the aspects of our current legislation, that has shown to be a little weak in the operation of that process.

The minister has already told us basically how the Bill works, and I think that this is going to be a real contribution to the safety of the meat supply in Alberta, give us more credibility in terms of how we market our product. Everybody now will be able to stand up and deal with the specialty products that they're dealing with, that they're producing. They can have their mobile abattoirs come in and deal with them on their farms and still put it out for public sale. This is really a contribution to the whole industry, and I hope everybody supports it.

Thank you.

[Motion carried; Bill 4 read a second time]

[At 10:29 p.m. the Assembly adjourned to Wednesday at 1:30 p.m.]