

Legislative Assembly of Alberta

Title: **Tuesday, March 16, 2004** **1:30 p.m.**
 Date: 2004/03/16
 [The Speaker in the chair]

head: **Prayers**

The Speaker: Good afternoon.

Let us pray. Grant that we the members of our province's Legislature fulfill our office with honesty and integrity. May our first concern be for the good of all of the people. Let us be guided by our deliberations this day. Amen.

Please be seated.

head: **Introduction of Guests**

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

Mr. Ducharme: Thank you, Mr. Speaker. Today I have the privilege of introducing to you and through you to all the members of the Assembly a number of guests from the Bonnyville-Cold Lake constituency. They are seated in the members' gallery and are special guests who attended this morning's celebration in the rotunda to mark the sixth edition of Les Rendez-vous de la Francophonie and International Francophonie Day, coming up on the 20th of March.

I am pleased to first introduce a group of students from l'école des Beaux-Lacs, a francophone school in Bonnyville. This group of students is part of the school band that played for us this morning, and they are accompanied by two teachers from the school, Mme Yvonne Veraart and Mme Nicole Jodoin. They did a wonderful job for us this morning. I ask them to stand and please be recognized by the Assembly.

Joining them on this special day at the Legislature is a group of senior citizens from Bonnyville, and I want to add that I'm very pleased that they were able to make the long bus trip to be with us today. I would like them to stand and be recognized as I call their names: M. René Dallaire, Mme Yvonne Chartrand, Mme Irène Plourde, Mme Marie-Claire Champagne, M. Réal Croteau, Mme Carmen Croteau, M. Jean-Claude Lajoie, Mme Monique Lajoie, Mme Denise Husereau, M. Paul Husereau, and M. Denis Tardif, the director of the Alberta Francophone Secretariat. Je vous invite à vous joindre à moi pour leur souhaiter une bienvenue chaleureuse. I would invite the members of the Assembly to join me in extending them a very warm welcome and, of course, a safe journey home.

Thank you, Mr. Speaker.

Mrs. O'Neill: Mr. Speaker, I do recognize a resident of St. Albert who is seated in the public gallery, and I would introduce Ms Ireen Slater. My eyesight doesn't tell me whether there's anyone else from St. Albert there or not, but I would like to introduce her to the Assembly and ask everyone to give her the warm traditional welcome of the Assembly.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to introduce to you and through you to all members of the Assembly a number of people who are representing seniors' organizations in Alberta. They are all sitting in the public gallery, and I would ask them to rise as I say their names. First of all, I'd like to introduce Jerry Pitts, who is the chairperson of the Coalition of Seniors Advocates. With him is Stan Nykiel, who is a director of COSA, the Coalition of Seniors Advocates. They've both travelled up from

Calgary today. I'd also like to introduce Ireen Slater, who is the chair of the St. Albert branch of SUN, Seniors United Now; Albert Opstad, who is the president of the Edmonton branch of Seniors United Now; and Ron Ellis, who is a director of Seniors United Now and their chairman of the communications committee. They're all standing. I would ask the Assembly to please give them a warm welcome.

Thank you.

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

Dr. Taft: Thank you, Mr. Speaker. I again have the privilege of introducing parents who are taking time from their day to watch our proceedings here as part of the Education Watch initiative. They're in the members' gallery, and I'll ask them to rise as I mention their names. First is Ray Benton-Evans. He's a father of a child attending grade 9 at Avalon junior high, and he's the chair of the parent school council at Avalon. Next is Linda Climenhaga. She has four children; two are at Windsor Park and two are at McKernan. Finally, Karen Ferrari, who has three kids, two of them at Windsor Park, and one is too young to go to school yet. Well, thank you for standing. Please give them a warm welcome. They're watching our proceedings carefully.

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

Dr. Pannu: Thank you very much, Mr. Speaker. I'm pleased to rise and introduce to you and through you to the Assembly a gentleman who has travelled all the way from Calgary to be here today to watch the proceedings of the Assembly. He has dedicated a good deal of his time in recent months to strongly advocating for Alberta's seniors and currently serves on the board of the Coalition of Seniors Advocates association, known as COSA. Mr. Arthur Clements is sitting in the public gallery. I'll ask him to please rise and receive the warm welcome of the Assembly.

head: **Oral Question Period**

The Speaker: First Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Automobile Insurance

Mr. MacDonald: Thank you, Mr. Speaker. The year 2003 was a very good year for the insurance industry, which announced a windfall net profit of \$2.6 billion, but 2003 was a very bad year for Alberta consumers who saw their auto insurance premiums continue to skyrocket. It's no surprise that 60 per cent of Albertans told this government in a poll that they want public auto insurance. My first question is to the Premier. Why has this government done nothing to bring down auto insurance rates for consumers while we see insurance industry profits soar by 775 per cent?

Mr. Klein: Mr. Speaker, you know, it's not right to say that he doesn't tell the truth. Well, I guess it is right to say that he doesn't tell the truth. I mean, the hon. Minister of Finance will explain and outline exactly the legislation that was brought forward to address the insurance situation. That legislation focuses on fairness, fairness to the consumer, and it doesn't focus on individual company profits, but if the hon. member is willing to stand up and say that profit is dirty, then let him stand up and say so. Say it. The reason he's not telling – well, I don't know the reason he's not telling. I know the reason he's not telling the truth. It's because he's a Liberal. That's the reason.

The insurance industry profits are based on a number of factors, and those factors include not just auto insurance – and that’s all the hon. member alludes to – but they’re based on factors related to fire insurance, home insurance, life insurance policies. They are also national. They are national in scope, not provincial. So they affect provinces that have so-called state or socialist insurance that the Liberals favour such as Saskatchewan and Manitoba and British Columbia. Well, I’ll include, because it was brought in by an ND government . . .

The Speaker: Let’s not get involved in a debate here.

Hon. member, second question.

Mr. MacDonald: Thank you, Mr. Speaker. Again to the Premier: why has this government continued to disregard the opinion of Alberta consumers who want public auto insurance because they know it is fair, affordable, and accessible to all?

Mr. Klein: Mr. Speaker, alluding to his previous question, this has nothing to do with insurance profits. Again, our legislation that was introduced I think maintains the spirit of free enterprise yet protects good old and young drivers from being treated unfairly as long as they are good drivers. Now, bad old drivers will be treated with penalties, and bad young drivers will be treated with penalties, but good old drivers and good young drivers, along with good middle-aged drivers, will be treated with fairness. That’s what the legislation is all about, and that’s good legislation.

1:40

Mr. MacDonald: Again, Mr. Speaker, to the Premier: can the Premier explain why this government, which has been so quick to impose extra costs on Albertans, especially students and especially those seniors in the gallery, has been so slow to give them a break on their auto insurance premiums?

Mr. Klein: Mr. Speaker, the legislation that was enacted specifically addresses young and old good drivers. It also addresses young and old bad drivers. It serves to punish the bad and reward the good. What’s wrong with that?

The Speaker: Second Official Opposition main question. The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you, Mr. Speaker. This government’s insurance reform implementation committee has failed and failed miserably. Consumers were left out. There was no public consultation. Costs for consumers are going up, not down. Even the industry doesn’t know what the future holds. To the Minister of Finance: why did the president and CEO of Wawanesa Insurance resign last December from the Alberta auto insurance reform committee?

Mrs. Nelson: Well, Mr. Speaker, yesterday the hon. member asked me about an article that appeared three months ago, and today he’s all of a sudden come to realize that we have an automobile insurance reform process underway in this province. Last summer the implementation team took forward a program to implement a policy for automobile insurance that clearly would provide Albertans with a fair approach to having automobile insurance because it is the law in this province that you must carry automobile insurance. We said: let’s have one that’s fair, that’s accessible, affordable, and comparably priced across Canada. That’s exactly what they brought forward and are bringing forward in this whole program.

To all of a sudden say, “Wow, we’ve all of a sudden discovered that there are huge profits in the insurance industry in Canada,” well, no kidding. That’s why this program said that we had to have a reduction in costs of insurance, and that’s why over \$200 million in this province alone has to come out of the premium base to make this insurance program affordable for all Albertans. He’s finally coming to grips with this. Thank you for coming on board, because that’s supporting the reform that the Member for Medicine Hat has been leading with an implementation team. You’re just about six months behind.

Mr. MacDonald: Mr. Speaker, to the Premier: why is it that even the insurance industry has very little confidence in this government’s auto insurance reform package?

Mr. Klein: Mr. Speaker, I don’t know that to be true. As a matter of fact, I don’t believe that at all. There is one insurance company that has a problem. I understand that a lawsuit has been launched, and I can’t speak to that particular situation because it is now before the courts, but generally the insurance companies are supportive of the program.

You know, it was very difficult to strike the right balance between the injury lawyers, various groups representing injured people, the insurance companies, but I think the Minister of Finance did an outstanding job along with the able assistance of the hon. Member for Medicine Hat, who did an outstanding job, Mr. Speaker, travelling the country, consulting with other provinces, and consulting with Albertans about the insurance industry. So for this hon. member to say that there was no consultation, he is not telling the truth. His nose is growing.

Mr. MacDonald: Again to the Premier: will this government finally admit that this policy is not going to work for Alberta consumers? It’s going to drive up premiums even higher. Will you cancel it immediately?

The Speaker: There are about four questions there. It’s multiple choice; take which one you want.

Mr. Klein: Well, multiple choice. I’ll give a multiple answer. Like what? Like Saskatchewan? You know, Saskatchewan insurance can come in here and compete with insurance companies. B.C. insurance can come here and compete with insurance companies. Manitoba insurance can come here and compete.

Mr. MacDonald: You own your own bank.

Mr. Klein: Mr. Speaker, owning a bank has nothing to do with insurance. We’ve gotten out of just about every kind of business, and by cracky if we ever suggested selling the ATB, these people would just go through the roof. “How can you do that? My God.” You know, they would have Ernest Manning turning over in his grave and Aberhart too.

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

Seniors’ Benefits

Ms Blakeman: Thank you, Mr. Speaker. Last month members from the Coalition of Seniors Advocates – and some of them are here in the gallery today – met with the government’s Calgary caucus and the chair of the Seniors Advisory Council and were frustrated by the

response. At a time when seniors are facing additional hardships due to electricity deregulation and high automobile insurance costs, all they want is for their seniors' benefits to be restored. My questions are to the Premier. Given that the COSA members felt that they were ridiculed and cut off, is this the government's idea of meaningful consultation with seniors?

Mr. Klein: Mr. Speaker, I take very strong exception to the hon. member's remarks relative to insurance costs. Good older seniors are rewarded, as are good younger seniors. Good older drivers are rewarded.

Relative to the situation that the Liberals are alluding to – and that is calling on the government to reinstate universal optical and dental benefits for seniors – I understand that they had a news conference just before this session. The previous program, the program that the Liberals are asking to be reinstated, offered limited assistance, in the minds of the government. Only 30 per cent coverage was provided with the balance being paid by the senior, and only basic dental procedures were covered. As a result, less than half of all seniors accessed the coverage each year.

What we decided to do was to focus on those seniors who needed it the most and provide full coverage. So the current program provides much better coverage, in our minds. We focus that coverage on seniors who need it. I believe that the majority, not all but the majority, of Albertans support that approach. The special-needs assistance for seniors program provides up to 100 per cent, not 30 per cent but 100 per cent, coverage for optical and dental expenses for those eligible seniors and, furthermore, has no restrictions on procedures.

The Speaker: The hon. member.

Ms Blakeman: Thank you. Again to the Premier: given that the cost of dentures for a senior couple can be as high as \$8,000, beyond even middle-income seniors, when will this government restore the universal, not the paid-down but the universal, optical and dental benefit plan for seniors that the government took away? When will you restore a universal plan?

Mr. Klein: Mr. Speaker, the program that the government took away was the previous program, which offered limited access. As I pointed out, only 30 per cent coverage was provided with the balance being paid by the senior.

Mr. Speaker, I would remind the hon. member that in 2003-2004 approximately 14,000 seniors received financial assistance under the special-needs assistance for seniors program. As well, the government has undertaken a pilot project with the dental school at the University of Alberta, one of the only dental schools, I believe, in western Canada to assist low-income seniors with the costs of dental services. This includes all forms of dentures. This pilot project, as I understand it, has been extended for a year.

1:50

The Speaker: The hon. member.

Ms Blakeman: Thank you. Again to the Premier: given that the recent Alberta Council on Aging poll shows that seniors are having to cut back spending on food and transportation, why does this government persist in policies that create hardships for seniors, particularly middle-income seniors?

Mr. Klein: Mr. Speaker, I don't think that that is true.

Ms Blakeman: It is.

Mr. Klein: No. Would you stop the chirping from that other side, please.

Mr. Speaker, what they say is not true, and I'll have the hon. Minister of Seniors respond.

Mr. Woloshyn: Mr. Speaker, I think it is very important to point out that over the past 10 years we have chosen to focus our resources on the people who truly need them and can show the need. Although the number of seniors is increasing significantly in the province, I'm very pleased to say that a lot of the increase is people who are quite self-sufficient, shall we say.

To indicate that we are out and hurting middle-class seniors is totally erroneous. We have an ongoing review of things such as the threshold. We look at those to see when they can be adjusted, the costs of them. We've reacted at every turn to the needs. For example, I'm pleased to say that when the seniors were under considerable stress on utilities about a year ago from now, the special-needs program cut in and helped them out on that end of it. Yes, for seniors close to a threshold who may be suffering, we're having a look to see if we can address those issues also.

The Speaker: The hon. Member for Edmonton-Strathcona, followed by the hon. Member for Calgary-Buffalo.

Health Care Reform

Dr. Pannu: Thank you, Mr. Speaker. Despite a budget surplus that the Parkland Institute at the University of Alberta earlier today forecasted will top \$4 billion, the Premier seems bent on undertaking an expensive PR campaign to scare Albertans into swallowing the bitter medicine of delisting and user fees stacked on top of health care premiums. While the true magnitude of this radical surgery will no doubt be kept hidden from Albertans until after the next election, the PR strategy so far seems to be based on strategic media leaks while keeping Albertans in the dark. My question is to the Premier. Why do national columnists like Jeffrey Simpson from Toronto-based *Globe and Mail* get an advance peek at the Premier's radical proposals while the Graydon report, the secret blueprint for two-tiered medicine, remains locked in the government's vault?

Mr. Klein: Mr. Speaker, Jeffrey Simpson did not get a peek at our plans, which are under development as I speak. But he understands what has to be done because it has been talked about at Premiers' conferences, it has been talked about at finance ministers' conferences, at ministers of health conferences. It's been the topic of discussion at what is now called the Council of the Federation – before it was the Premiers' Conference – for at least the past seven years. The Premiers have been talking about achieving sustainability. They've also been talking about more cash from the federal government, which would be nice to close the so-called Romanow gap. But they all understand that money is not the only answer. So our caucus, this government, with the guidance of the Minister of Health and Wellness is preparing a plan to achieve sustainability.

Now, the hon. member likes to pick out those things that provide for a good 15-second sound bite, you know, user fees and this and that. Mr. Speaker, there are a multitude of things, even things that don't involve the kind of education that this person has; in other words, looking at what works in other countries and why it works and what's bad in other countries and how to discard that. You know, nothing wrong with that. Nothing wrong with looking at ways of allowing health jurisdictions to generate revenues as long as

they provide for the sick and injured, that they don't lose their homes and their dignity and other things because of illness or injury.

Mr. Speaker, I would remind the hon. member that even his mentor the late Tommy Douglas said that when you talk about user fees, which is – could be, could be, might be, maybe – one small component, one little wee, teeny, teeny component of the whole thing, you know, people should pay something to recognize the value of medical services. Tommy Douglas said that. He likes Tommy Douglas; he liked Tommy Douglas. He would agree, I'm sure.

The Speaker: The hon. member.

Dr. Pannu: Thank you, Mr. Speaker. Why is this Premier refusing to consult with Albertans before advocating snake oil remedies like delisting, user pay, and further privatization that far from saving money will only drive up the cost of health care?

Mr. Klein: Mr. Speaker, it is a big fib, to say the least, to say that we will not consult with Albertans. You know, stay tuned and see how the plan unfolds because I can tell you – and I don't think I'm spewing out any secrets – that consultation is one of the components of the plan.

The Speaker: The hon. member.

Dr. Pannu: Thank you, Mr. Speaker. My second supplementary to the Premier: then why have this Premier and his government kept the contents of the Graydon report secret and not made the report public?

Mr. Klein: A very, very good reason. It's to prevent the hon. leader of the third party and his friends in the Liberal Party from picking out little pieces and using them for those 15-second sound bites. That's what it's all about. It's to prevent them from spreading misleading and false information. We will release it very, very shortly, but it will be released in its entirety, not only the Graydon report but other reports as well, and the plan will be released at that particular time.

I'll have the hon. minister supplement.

The Speaker: Actually, hon. members, we've spent a lot of time in this section here. We're going to move on. I've got a whole list of members.

The hon. Member for Calgary-Buffalo, followed by the hon. Member for Edmonton-Riverview.

Family Violence and Bullying Round-tables

Mr. Cernaiko: Thank you very much, Mr. Speaker. I'm aware that a family violence and bullying workshop will be held in Calgary this week. The workshop is being held as lead-up to the family violence and bullying round-table in May. In the past two weeks there have been numerous incidents of domestic violence across the province that have resulted in serious injury and death. My question is for the Minister of Children's Services. Can the minister tell us how the information from stakeholders in Calgary will be used?

Ms Evans: Mr. Speaker, throughout Alberta we will have a total of 13 regional round-tables and separate focus groups including the aboriginal community, the faith community, the disabled community, the victims, the men's group. Like all of the other regional round-tables a coming together of those solutions that have been proposed

will take a very broad look at the issue on May 7 in Calgary at a province-wide round-table complete with experts' opinions and other data. So, in fact, it will be one piece of all of the information we are gathering to make sure that we have a full range, a full spectrum, of views from every single solitary member of the Alberta community including youth that will come forward and provide their views on what should be done to eradicate bullying and family violence.

The Speaker: The hon. member.

Mr. Cernaiko: Thank you, Mr. Speaker. My supplementary question is also to the Minister of Children's Services. How have Albertans been included or how have they been heard regarding being involved in the round-table process?

Ms Evans: Mr. Speaker, right from the time we put our web page up on the family violence round-table, we have had the views of Albertans on what we should do for process. As well, today on familyviolenceroundtable.gov.ab.ca you can register and complete a questionnaire. You can respond if you're a youth by entering a My Alberta contest that was announced in order to give those artists and writers an opportunity to talk about what they see as a young person, what Alberta should look like in the future.

By the time we have finished all the regional round-tables, a total of 2,000 people will have participated. Today, as we speak, at the Fantasyland Hotel we have over 200 people in the Edmonton area that are responding. There will even be an additional round-table in Slave Lake that has been added so that aboriginal people will have an opportunity to come forward and express their views as well.

2:00

The Speaker: The hon. member.

Mr. Cernaiko: Thank you, Mr. Speaker. My final supplementary question: can the minister tell us what is going to be done with the information coming out of the round-table?

Ms Evans: Mr. Speaker, although Children's Services is co-ordinating the round-tables, there are a total of nine ministries involved in the Alberta children and youth initiative. We also have the Gaming ministry, which has frequently been involved in funding supports for construction of shelters and so on. So every single ministry will take a look at the recommendations, get integrally involved with the Alberta community, whether they're police, mental health workers, social workers, counsellors, schoolteachers, and so on. We will look at the strengths we can build into the program areas of delivery in support of the communities and the neighbourhoods where this violence takes place, in the homes of the Albertans that are affected, and try and provide them with ways of getting help before they desperately need it and ways to encourage a positive outcome for our children and grandchildren.

The Speaker: The hon. Member for Edmonton-Riverview, followed by the hon. Member for Edmonton-Calder.

Electronic Health Records

Dr. Taft: Thank you, Mr. Speaker. The main problem facing Alberta's health care system is not out-of-control costs. It's mismanagement of the money we have. Recently this government unveiled plans for an electronic health records system. While the idea of an electronic health records system is seductive, the minister

is in danger of sending Alberta taxpayer money into a virtual black hole. My questions are to the Minister of Health and Wellness. Given that the minister announced \$59 million in October for health information systems and then provided the Alberta Medical Association with \$65 million in November and RHAs are spending untold millions more, will the minister tell us the total expected cost of establishing the electronic health records system?

Mr. Mar: Mr. Speaker, I want to first elaborate a little bit in responding to the hon. Member for Edmonton-Strathcona, and that is to say that consultation will be a very, very important part of what we do as we move forward into recognizing that our health care system in this province is not sustainable. Albertans can be assured that we will seek their input, as we have at all steps of our policy development, and they will have an opportunity to have their voices heard with respect to what it is that they want to do. Now, Albertans may want to say: we want the existing system, but we're prepared to pay a lot more money for it. If that's what Albertans say, then I suppose we can do that.

I think, Mr. Speaker, to suggest, as the Member for Edmonton-Riverview has suggested, that there isn't a problem, that it's simply an issue of better management of health dollars, if that's the case, then apparently every province of every part of this country has exactly the same problem. I don't understand how the hon. Member for Edmonton-Riverview can suggest that it's merely a management problem when the Premier of New Brunswick, Bernard Lord, is talking about how the system will not be here 10 years from now on its current track.

I need not refer only to Conservatives. Premier McGuinty from Ontario, Premier Campbell from British Columbia, Premier Calvert, an ND from Saskatchewan, Premier Doer of Manitoba: without exception, Mr. Speaker, they all agree that this is the biggest policy issue in Canada today, that we need to get our system to be sustainable.

Dr. Taft: I guess he doesn't know the answer.

Mr. Mar: You don't even know the question.

Dr. Taft: You can read it in *Hansard*, Gary.

Given the staggering amount of health information generated every day in clinics and labs and hospitals and doctors' offices, what cost controls are in place to ensure that costs for the health information system don't escalate into the hundreds of millions of dollars?

Mr. Mar: Mr. Speaker, there may come a time when we find that spending tens of millions or perhaps even hundreds of millions of dollars over the next 10 years will make sense for our health care system.

Imagine this, Mr. Speaker. Imagine being able to call up an electronic health record with a diagnostic image on it by referring to it on your computer instead of sending your patient off to yet another unnecessary diagnostic test. Imagine that transaction being repeated hundreds or thousands of times today and tomorrow and the day after. There are tremendous advantages that are recognized by health care systems in other parts of the world and in other parts of Canada as well of the importance of having electronic health records and the appropriate infrastructure being put in place to ensure that these types of efficiencies can be developed.

The Speaker: The hon. member.

Dr. Taft: Thank you, Mr. Speaker. Could the minister table for us

or give us verbally any cost-benefit analysis that was done to justify spending \$124 million on information systems when the same amount could essentially resolve our long-term care crisis?

Mr. Mar: Mr. Speaker, it sounds like the perfect sort of question for a written question. To simply suggest that you can take this money and apply it and fix long-term care, the simplicity of that demonstrates the simplicity of the analysis conducted by the hon. member.

Labour Relations

Mr. Rathgeber: Mr. Speaker, Edmonton-Calder is the home of many small and medium-sized construction and electrical firms. Recently many of these reported that they have been targeted by salting campaigns, where union organizers target a job site and thereafter leave once certification had been accomplished. My questions are to the Minister of Human Resources and Employment. When will we see amendments to the labour code to deal with this practice known as salting?

Mr. Dunford: Some time ago, Mr. Speaker, there was a call from many Albertans to have a look at the current Labour Relations Code as it related to those matters of discussions between our organized employees here in the province and employers, so we had put together a group of people to take a look. They came back with recommendations that indicated that here in Alberta we had, generally speaking, a good labour climate and really did not recommend that a full-scale review of the labour code take place at that time.

However, as minister there was concern expressed to me regarding an issue that's referred to as salting, and I believe that the hon. member in the question explained that particular practice. So we've had a committee looking at that situation. I am in receipt now of the report from that particular committee. We had our last meeting on Monday of this week with the members of that committee. It is now in my shop for me to determine a government response, and we'll be doing that within the next little while and then take it through the internal system.

The Speaker: The hon. member.

Mr. Rathgeber: Thank you, Mr. Speaker. Many of the same firms report that they have lost bids due to competing with unionized contractors whose bids are subsidized using market enhancement recovery funds, or MERF. To the same minister: why does the labour code allow unions to contribute to employers while it prohibits employers from contributing to unions?

Mr. Dunford: This is a practice, Mr. Speaker, known as MERFing, and this has been in consideration for some time here within the province. There is currently a disagreement amongst people that look at these kinds of matters as to whether or not this is an issue that can be addressed or should be addressed by the Labour Relations Code here in the province or whether, in fact, it is something that is more in line with free trade or competitive trade, in which case one then might make the argument that perhaps it's the people in the federal government in Ottawa that ought to be looking at it.

Now, as much as some folks have tried to make an issue of this particular situation and even though the Competition Bureau is there to look into these kinds of matters, it is my understanding that they have yet to receive a request.

2:10

Mr. Rathgeber: Finally, Mr. Speaker, when will the report that the

minister referred to be released to ensure that this process moves forward?

Mr. Dunford: I've been contemplating how to deal with this matter, Mr. Speaker, and there are really two ways in which to do it. One, of course, is to release the report, again then to the public, and to provide for a further stakeholder response. The other way is to do it in a way that would release the report at the same time we release the government response. I'm not sure as I stand here today what the best approach would be, and any guidance that the hon. member wants to provide to me in this matter would be appreciated.

Long-standing WCB Claims Review

Mr. Bonner: Mr. Speaker, this government has been dragging its heels for years with the promise of a tribunal for long-standing, contentious Workers' Compensation Board claims. Many injured workers are being prevented from getting on with their lives while they wait to learn if their cases may be reviewed. To the Minister of Human Resources and Employment: when can these workers expect a decision on whether such a tribunal will be struck?

Mr. Dunford: I've been saying publicly for some time – and I guess the hon. member has missed it. It was always contemplated from early days in the discussion around this topic that the government of Alberta would be responsible for the administration of the tribunal, but whatever outcomes within that tribunal, whatever payments were due or if actual decisions were reversed, those payments then would be the responsibility of the Workers' Compensation Board.

We have various estimates as to what the administration of this program would be, but I can tell you that my priorities at the current time rest with other members of our client base that fall within our mandate, and that is the poor and the vulnerable here in the province. Until such time as we are able to fully enact the kind of reform that we feel is necessary in that particular area, we're not willing to invest our money in second and third chances.

Mr. Bonner: Mr. Speaker, given that many of the poor and vulnerable are those injured workers waiting for the tribunal, can the minister tell me if changes to the Workers' Compensation Act passed in 2002 have corrected the complaints filed by injured workers against the WCB?

Mr. Dunford: As far as my reference to the people that need the help of this government, there is no wall that is drawn, wherever they come from. If people come forward to us for assistance and they need that assistance, then we stand there prepared to look after those folks.

Dr. Massey: It's a pretty high wall.

Mr. Dunford: I happened to hear from across the way about a pretty high wall, and in fact the member is right. One of the things that every jurisdiction in this country is trying to do is reduce the size of welfare walls. As a matter of fact, if the Liberal opposition will stay tuned, they will see in the next few months, of course, the kinds of reforms that we'll be bringing forward to in fact reduce that wall.

Mr. Bonner: Mr. Speaker, given that we're not talking about welfare, that we are talking about settlements for long-standing, contentious claims that these workers are entitled to, will the minister commit today to striking a tribunal to hear those long-standing, contentious claims?

Mr. Dunford: I object to the use of the word "entitled". It is not an entitlement. The injured workers that the hon. member is purporting to represent today have in fact had their issues dealt with by the rules and by the people that were in responsible positions at the particular time.

I'm here to report to you, Mr. Speaker, that we are very proud of the changes that have been made to the Workers' Compensation Board, of the fact that since the years 2000-2002 we've been able to see where there's been effective change within the situation and how workers' compensation deals with injury claims. If people want to get anecdotal, we've got anecdotes we could stand here and talk about for the rest of the day.

The Speaker: The hon. Member for Calgary-North Hill, followed by the hon. Member for Edmonton-Ellerslie.

WCB Premium Assessments

Mr. Magnus: Thank you, Mr. Speaker. My questions today go to the Minister of Human Resources and Employment. A constituent of mine operates a small construction company in Calgary and received his WCB premium assessment for 2004. He learned his premium rates will go up actually from \$3.70 per hundred dollars of insurable earnings in 2002 to \$6.91 per hundred in 2003 to \$10.26 per hundred in 2004 even though he hasn't had a workplace accident in some five years. This is a 300 per cent increase, and I'm wondering if the minister can explain how such an increase can be justified to this small businessman.

Mr. Dunford: Mr. Speaker, there is some background that will be necessary for this question. First, I want to say this to the hon. member so that he can relay it back to his constituents and so that, in fact, any member here in the House, if they are running into that kind of a situation, can take this back as well that we tend to focus on the appeal system inside workers' compensation as somehow being there solely for injured workers. The appeal system is an appeal system, and any employer is entitled, then, to use that particular appeal system should they have a concern about their particular rates.

This is a very tough one not only for the member and his constituent, but we're finding that we're having this throughout the province. What happened was that at one time we had a huge category that included basically all of the construction activities. Representations were made to the Workers' Compensation Board by general contractors and by others, and they were successful in getting a new definition or, I guess, a new division amongst the construction trades, and what happened was that it put roofers and framers basically into a category by themselves. Now, anyone that has followed the lost-time claim rate in this province knows that that is an area of particular concern because of the incident rate that is happening in that area. So there's going to be constant pressure until the number of injuries in that area is reduced.

The Speaker: The hon. member.

Mr. Magnus: Thank you, Mr. Speaker. My last question is to the same minister. Given that my constituent has had an increased cost to his bottom line that is challenging to absorb, are there any ways in which the impact of this large increase over the span of two years can be mitigated?

Mr. Dunford: Well, I thought I heard the word "mitigated" as the last part of his question. Again, I would urge the member to consult

with his constituent and to make sure that they have gone through the appeal system at the Workers' Compensation Board. I would further urge the member to talk to his constituent about certificates of recognition where we show, then, a commitment in writing by employers that they will in fact reduce the incident rate within their particular company.

Now, if the incident rate has been zero, then it's difficult to talk about any sort of reduction, but the very fact of being recognized with a certificate, of course, immediately enacts a 5 per cent reduction in the WCB assessment leading to a maximum of a 20 per cent reduction on that assessment.

The Speaker: The hon. Member for Edmonton-Ellerslie, followed by the hon. Member for Edmonton-Highlands.

2:20 Fish and Wildlife Management

Ms Carlson: Thank you, Mr. Speaker. The Alberta Fish and Game executive are very concerned about fish and wildlife management in Alberta, and particularly they are concerned about how the Alberta Conservation Association has been handling the over \$7 million that they have under their control. My questions are to the Minister of Sustainable Resource Development. Can you tell us why there's a duplication of services with that \$7 million? It should more rightly be under your control.

Mr. Cardinal: Mr. Speaker, there's no duplication in that process. This organization was set up as an arm's-length operation and given the delegated authority to be able to work and plan along with the interested shareholders. There is no duplication.

Ms Carlson: Mr. Speaker, perhaps the minister could tell us why those in the employ of the Alberta Conservation Association have access to up-to-date, modern equipment and vehicles and your own staff members don't.

Mr. Cardinal: Mr. Speaker, of course, the member wouldn't know what the Department of Sustainable Resource Development has or doesn't have, and you can tell by the questions. We do have over a hundred fish and wildlife officers. The budget has increased in that department. We spend close to \$38 million in that particular department. All we're trying to do is make sure that we operate efficiently within that department, and once that happens, once we do have the restraints in place, that will ensure that some of the jobs we do are necessary.

I can give you a good example, Mr. Speaker, in relation to travel because that has come up in the House before, where I suggested that, you know, when meetings are held in Edmonton that require staff, say, to come from Slave Lake and other jurisdictions outside of Edmonton, the meetings start at 10 in the morning rather than 8 in the morning so that those people do not have to leave a day earlier and travel the night before to come to Edmonton. Those types of activities are taking place.

The other area is the number of people sent sometimes when they have checkstops. I've seen cases where they have a checkstop where our department and the RCMP were involved in it. They had 20 vehicles doing a fisheries checkstop on a Father's Day south of Calling Lake, where I come from. You know, they did not need 20 staff or 20 vehicles to do a minor checkstop of that nature. I said: surely, we can do a better job than that in managing our resources within the department.

Ms Carlson: Mr. Speaker, to the same minister: why has there not

been any priority or focused spending for hunters and anglers so that they can conduct necessary fish and wildlife surveys and better manage the resources in the province?

Mr. Cardinal: Mr. Speaker, we have a fisheries strategy. Of course, that member would not know of it because she's not part of the government. She's the opposition. The sky is always falling on the opposition. In fact, they don't even listen to the answer when you try to answer after they ask a question. But that's fine. I'll channel it through you, Mr. Speaker.

The Speaker: Thank you. I want the minister to know that I am listening.

The hon. Member for Edmonton-Highlands, followed by the hon. Member for Calgary-Fort.

Electricity Prices

Mr. Mason: Thank you very much, Mr. Speaker. The Energy minister knows no shame when it comes to spinning the fact that power prices are way up since deregulation. Now the minister has taken to calling Manitoba a communist jurisdiction to deflect questions about why Manitoba's power rates are stable while Alberta's have increased 60 per cent since 2000. The minister has gone from being the Baghdad Bob of energy deregulation to the Joe McCarthy of high power bills. To the minister: how can the minister justify his position that the 60 per cent . . .

The Speaker: Okay. We have a question. We have a question. [interjections] Please, please, please. Just a second. I'm going to recognize the minister.

Mr. Mar: Okay, Bob.

The Speaker: Whoa. We are exuberant today with all those personality things.

Okay. We've got a question.

Mr. Smith: Well, thank you, Mr. Speaker. We justify those statements by the very careful use of the facts.

Mr. Mason: Mr. Speaker, I will attempt to restate my first question, and that is: how does the minister justify his position that the 60 per cent hike over four years with bigger spikes in between is nothing more than a simple cost-of-living increase?

Mr. Smith: Well, Mr. Speaker, the member knows full well that the cost of electricity has dropped 24 per cent in the rural areas of Alberta in the calendar year 2004, and he knows that his own bill has dropped 20 per cent. Why don't we have a look at his own bill, and we'll just have a discussion on that?

Mr. Mason: Mr. Speaker, given that the New Democrats have tabled hundreds of power bills that have gone up and thousands of names on petitions calling for an end to deregulation, when will the minister table even one single residential bill that has gone down since deregulation began, not just in the last year when these riders came off?

Mr. Smith: Well, all I can say, Mr. Speaker, is stay tuned.

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

Petroleum Reserves

Mr. Cao: Thank you, Mr. Speaker. Given that the livelihood of ordinary Albertans and the strong economy of Alberta depends a great deal on confidence in the petroleum industry and resources, given that the natural resources in Alberta belong to Albertans – my question today is to the Minister of Energy – could the minister tell Albertans how Alberta's petroleum reserves are categorized and estimated?

Mr. Smith: Well, Mr. Speaker, this is very much a question of information. I think that I can start by talking about the Alberta Energy and Utilities Board. This organization on an annual basis publishes a document called Alberta's reserves, and through careful analysis and the use of skilled individuals in reservoir technology and the core analysis and in volumetric calculation as well as economic forecasting and economic use of price models, they are able to come up with specific reserve numbers.

Just for an example, Mr. Speaker, the 174 billion barrels of the Alberta oil sands that have been put forth with the U.S. Department of Energy last April and accepted by them as well as the world *Oil and Gas Journal* – that data comes from over 56,000 wells that have been drilled in the area of the oil sands, analyzed, as well as from over 6,000 core samples that remain in the possession of the Alberta government through the Alberta Energy and Utilities Board in a building directly adjacent to the University of Calgary.

Mr. Cao: My supplemental question is to the same minister. Mr. Speaker, given that there is recent news about unethical business cases in other parts of the world allegedly delaying the release of petroleum reserve estimates that may have negative impacts on their own companies in the financial market, how does the minister ensure that Alberta natural resource estimates, including reserves from oil companies, are consistently and correctly done and released?

Mr. Smith: Well, Mr. Speaker, I've heard comments, particularly from this side, saying that it's a very good question. It is a good question because we've seen what occurs with specific companies that get into difficulty about how petroleum reserves are stated. Although most shares of oil and gas companies are traded on price-earning multiples and on cash flows, the statement of reserves reflects the net worth of that company. So from a macro basis we use the numbers from the Alberta Energy and Utilities Board, because anybody who's a resource developer in this province must submit a core sample. The well logs, the information about the various wells themselves – and I may even recommend a great publication called the Canadian Discovery Digest that outlines these logs – will tell us about the reserves. But we do not take the word of the individual oil companies. We use the EUB to calculate a gross quantity of our reserves.

The Speaker: The hon. member.

Mr. Cao: Thank you. My last supplemental question is to the same minister. What are the latest estimates of Alberta petroleum reserves in comparison with the major producing area in the world?

Mr. Smith: Mr. Speaker, we're number two in the world, which I think is very important. Number one is Saudi Arabia, which pumps right now about 9 million barrels a day. Last year, Mr. Speaker, Saudi Arabia, for the first time in 20 years, balanced their budget. They have produced some \$74 billion worth of oil, and that allowed them to balance their budget. The budget of this province has been

balanced since 1995, and the royalties that have been collected this year should be in excess of \$8 billion.

2:30

The Speaker: Hon. members, very shortly I'll call on the first of four to participate today, but just a couple of comments because of the equity in the question period. Hon. Member for Edmonton-Calder, your second question had a preamble, but I let it go by. So I compensated to the hon. Member for Edmonton-Glengarry with the length of his third question, which was almost as long as the continuous length of the questions provided by the hon. Member for Calgary-Fort, however.

Might we revert briefly to Introduction of Guests?

[Unanimous consent granted]

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

The Speaker: The hon. Member for Edmonton-Beverly-Clareview, followed by the hon. Member for Edmonton-Glengarry, followed by the hon. Member for Edmonton-Centre.

Mr. Yankowsky: Thank you, Mr. Speaker. I rise to introduce to you and through you to this Assembly some visitors from the province of Saskatchewan as well as Alberta. Our visitors from Saskatchewan are Richard and Angie Klassen. Mr. Klassen will be relating their story of false allegations at a meeting tonight and their 10-year fight in the courts to be exonerated. Richard and Angie are seated in the members' gallery along with Richard's brother Dale, his wife, Anita, and their son Trevor from Red Deer, Alberta, also four of their local friends and supporters, Mr. Gary DeVries, Angie Geworsky, Tracy Marcotte, and Mike Russell. I would like to ask them to please stand and receive the very warm welcome of this Assembly.

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

Mr. Bonner: Thank you very much, Mr. Speaker. It gives me a great deal of pleasure to introduce to you and through you to all members of the Assembly a number of injured workers that have joined us today to witness the proceedings in the Assembly. They are Reg Friedrich, Ralph Teed, John Steele, Terry Fedorak, Mike Renaud, Betty Chong, Charlie Sams, Rod Barrett, Ron Barrett, Ron Nahrebeski, Mike Beauchamp, Erich Schmidt, Karl Johnson, Lana Lamont, Bob Miller, Bruce Hall, Virginia Losier, and Don Purcell. With your permission I'd ask them all to now rise and receive the traditional warm welcome of the Assembly.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm always pleased when visiting classes from NorQuest College attend the Assembly and allow me to introduce them to you and through you to all members of the Assembly. Joining us in the public gallery today we have 13 members of the NorQuest College ESL class for career options for new Canadians. They are joined by their teacher, Mr. Allan Carlson. I would ask them all to please rise and accept the warm welcome of the Assembly. Thank you very much for coming.

head: **Members' Statements**

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

Les Rendez-vous de la Francophonie

Mr. Ducharme: Merci, M. le Président. Aujourd'hui c'est un plaisir pour moi de présenter à la Chambre une explication d'un événement Canadien qui s'appelle Les Rendez-vous de la Francophonie.

Les Rendez-vous de la Francophonie se déroulent à la grandeur du Canada sur une base annuelle. Durant cette période de temps on célèbre les communautés francophones afin de promouvoir la langue et la culture françaises tant par ses activités sociales et ses célébrations que par sa dimension humaine et communautaire. Les Rendez-vous contribuent à renforcer les liens entre les anglophones et les francophones du Canada et favorisent un plus grand respect entre ces deux communautés.

De plus en plus nos municipalités Albertaines se joignent aux Rendez-vous en tenant des cérémonies pour reconnaître leur communauté francophone. Parmi ces municipalités cette année on compte Edmonton, Lethbridge, Calgary. Félicitations à ces municipalités.

Ce matin à la rotonde de la Législature le Président de la Chambre était hôte d'une belle célébration dédiée à la reconnaissance de la contribution des francophones à notre province. C'est un geste que la communauté apprécie beaucoup, si on en juge par la participation importante de la communauté. Je tiens aussi à remercier mes collègues de l'Assemblée qui se sont dérangés pour assister à la célébration.

Cette sixième édition des Rendez-vous revêt une signification spéciale parce qu'elle marque l'ouverture des cérémonies du 400ième anniversaire de l'établissement du premier établissement permanent français en sol Nord-Américain. Plusieurs activités se dérouleront au cours des mois qui suivent dans les provinces maritimes pour mettre en évidence cet anniversaire.

En terminant, j'aimerais remercier le groupe d'étudiants et d'ainés de ma circonscription qui sont venus de Bonnyville pour célébrer avec nous.

Merci, M. le Président.

[Translation] Thank you, Mr. Speaker. Today it is my pleasure to provide the Assembly with information on a wonderful Canadian event called Les Rendez-vous de la Francophonie. Les Rendez-vous de la Francophonie are held throughout Canada on a yearly basis, and this year they run from March 5 to March 21. During that period of time attention is focused on francophone communities with the idea of promoting French language and culture, as much through community and human relations as through social activities and celebrations.

Les Rendez-vous contribute to the reinforcement of links between francophones and anglophones in Canada by fostering greater respect between the two communities. More and more of our municipalities are joining in Les Rendez-vous by holding ceremonies to recognize their francophone communities. Edmonton, Lethbridge, Calgary are some of the municipalities that held flag-raising ceremonies to mark the launch of these celebrations. Congratulations to all of them.

This morning the office of the Speaker hosted a wonderful ceremony in the rotunda to recognize the contributions of the francophone community to our province. It was very much appreciated by the francophone community judging by the large attendance. I also want to thank my colleague MLAs who took time off their busy schedules to stop by.

The sixth edition of these Rendez-vous takes on a special meaning because they mark the beginning of a full year of celebration to recognize the 400th anniversary of the establishment of the first permanent French settlement in North America. A large number of

activities are planned in the maritime provinces over the course of the year to celebrate this anniversary.

Once again I want to thank the group, composed of students and seniors, from my constituency who have come all the way from Bonnyville to celebrate this event with us.

Thank you, Mr. Speaker. [As submitted]

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

Sour Gas Well Development

Mrs. Ady: Thank you, Mr. Speaker. I rise today to address an issue that is naturally of deep concern for my constituents. That is the application by Compton Petroleum that is currently in front of the EUB.

Mr. Speaker, Compton Petroleum is requesting permission of the EUB to drill an additional six wells into a site that has existed on the southeast corner of the city of Calgary for the past 30 years. They will argue that with new technology and additional wells they'll be able to remove the gas in approximately 11 years instead of 30. They'll also argue that it can be done safely.

As you can understand, my constituents have concerns about that argument. However, Mr. Speaker, there is a purpose, and the EUB is going to hear with their application whether that can be done. It will give those who disagree or have legitimate concerns about public safety the opportunity to intervene.

I've been working with the EUB, Mr. Speaker, to ensure that my constituents have an equal opportunity to voice those concerns. Whether they're the city of Calgary, the fire department, the Calgary health region, community groups, they all have a role to play. If the EUB is not convinced that an energy project can be constructed and operated safely, it will not allow that development to proceed.

For example, in December 2003 the EUB denied an application by Polar Resources to drill a critical sour gas well near the Whaleback area in southwestern Alberta because the company did not convince the EUB hearing panel that it could drill the well safely. Companies are responsible for understanding the natural risks and hazards associated with what they propose, and if necessary, as in this case, there's a transparent and impartial EUB hearing.

Last week Compton Petroleum of Canada requested that the EUB postpone the hearings on the development of these wells. The EUB is expected to respond to Compton's request in the next while to postpone the hearing until late summer or early fall in 2004. I want to reassure my constituents that the EUB will give them a fair hearing.

Thank you, Mr. Speaker.

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

Seniors' Benefits

Ms Blakeman: Thank you very much, Mr. Speaker. Seniors feel that their programs have taken the brunt of this government's budget cutting over the last decade. A recent Alberta Council on Aging poll shows that this government has forced seniors to take from their food and health budgets for services that were once covered by the province. Forget having money for social activities and transportation; that was the first to go for many seniors.

Increases due to energy deregulation and mounting automobile insurance coupled with the elimination of seniors' exemption from health care premiums, the loss of universal funding for dental care, dentures, and eyeglasses, and the elimination of the education property tax exemption up to \$1,000 have made merely existing a hardship for many Alberta seniors.

Seniors were willing to make some sacrifices for the good of the province, but they never counted on being left with virtually nothing. Now they're mobilizing through groups like the Coalition of Seniors Advocates, COSA, in Calgary and Seniors United Now, SUN, in the Edmonton area, and the Canadian Association of Retired Persons, CARP, now has an Edmonton branch.

Seniors want the same benefits they had before this government started paying down the debt on their backs. Middle-income seniors are being impoverished by this government. The Alberta Liberal opposition believes that seniors make a valuable contribution to the quality of life in Alberta and deserve our respect, and that's why we've developed an alternative.

The Alberta Liberal opposition wants to see universal dental and optical benefits for seniors reinstated, health care premiums eliminated, people in private health care facilities and homes included within the Protection for Persons in Care Act or similar stronger legislation, consistent capital funding provided for seniors' lodges, and a body set up specifically to investigate complaints of elder abuse, among others. We believe there is an alternative to forcing seniors to take food off their tables to pay for dentures and eyeglasses. We have a better solution.

Thank you very much.

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

Long-term Care Industry

Ms Kryczka: Thank you, Mr. Speaker. As an MLA I've heard about the challenges facing the long-term care industry in Alberta from constituents in my Calgary-West office to representatives of the Alberta Long Term Care Association at the Standing Policy Committee on Health and Community Living. Quality of life for residents in the long-term care centres has improved due largely to the 2003 accommodation rate increase, but there are still quality-of-care needs that need to be addressed by government by additional funding through the health regions.

2:40

What is rarely reported on or spoken about, though, Mr. Speaker, are the many good-news stories that exist, such as Carewest's dementia care training program, supportive pathways, that will be offered to 3,000 front-line health care workers in Alberta. The benefits of this program will be far reaching as close to 75 per cent of long-term care residents in resident facilities have Alzheimer's disease and other related dementias.

Another story is that of the Capital Care Group celebrating 40 years of caring in 2004. Their well-known reputation has been built on visionary leadership, excellent management, education, and resources, as well as dedicated staff. Capital Care staff are a big reason why residents and families choose this organization for continuing care services.

Mr. Speaker, the truly unsung heroes, who care for over 14,000 residents in Alberta's long-term care facilities, are the staff, who are dedicated, skilled, and compassionate professionals who want to care for residents to the best of their ability but are frequently challenged; for example, when resident care needs exceed staffing levels or when resident behaviours prove almost impossible to contain or control.

I have met residents and staff in many long-term care centres and have come to fully appreciate the challenges to which I refer. Families and friends do a wonderful job as caregivers, but there comes a time when one spouse or parent needs the level of care provided in the long-term care centre. Who better to care for them on a daily basis than knowledgeable and caring staff?

I suggest to this Assembly today that we all make a serious effort to walk a mile in the shoes of our long-term care staff and award them the recognition and respect that is truly deserved.

Thank you.

head: **Notices of Motions**

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm giving notice that I'll be rising later this afternoon, at the conclusion of the daily Routine, to move a Standing Order 40 application.

Thank you.

head: **Tabling Returns and Reports**

Mr. Zwozdesky: M. le Président, c'est un grand plaisir pour moi aujourd'hui de déposer une lettre adressée à M. Ernest Chauvet, le président de l'Association canadienne-française de l'Alberta, suite à la cérémonie ce matin à la Législature qui marquait la sixième édition des Rendez-vous de la Francophonie. Merci.

[Translation] Mr. Speaker, I am pleased to table a copy of a letter written to Mr. Ernest Chauvet, president of the French-Canadian association of Alberta, following this morning's ceremony in the rotunda of the Legislature to mark the sixth edition of Les Rendez-vous de la Francophonie. [As submitted]

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

Dr. Pannu: Thank you, Mr. Speaker. I'm tabling five copies of a graph from the Parkland Institute report released this morning showing that provincial health spending is at about the same level as 1993 once inflation and population growth are factored in.

Thank you, Mr. Speaker.

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

Dr. Taft: Thank you, Mr. Speaker. I'm tabling the appropriate numbers of correspondence referred to yesterday in question period. It's a letter from the regional clinical department head of the Calgary health region to Mrs. Kathy Briant relating to concerns in emergency wards in Calgary.

Thank you.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'd like to table five copies of Women and Non-Standard Work: A Grassroots Approach. This is a project of the Womanspace Resource Centre in Lethbridge, Alberta, released in November 2003, written by Jane Barter Moulaison and researched by Barter Moulaison, Lisa Lambert, and Jackie Woodworth. It has been partially funded by the Alberta Community Development human rights, multiculturalism, and citizenship fund.

Thank you very much.

The Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. I have two tablings this afternoon. The first is a letter from Marianne J. Murray to the hon. Premier. It is in regard to the devastation of electricity deregulation and how it has affected a business.

My second tabling is a letter dated March 16, 2004. It is a letter that I've written on behalf of Her Majesty's Loyal Opposition for

Alberta in regard to the opening of the border with the Americans so we can ship live cattle.

Thank you.

head: **Motions under Standing Order 40**

The Speaker: The hon. Member for Edmonton-Centre on a Standing Order 40 application.

Seniors' Benefits

Ms Blakeman:

Be it resolved that the Legislative Assembly urge the government to reinstate the universal optical and dental benefits program for seniors.

Ms Blakeman: Thank you very much, Mr. Speaker. This afternoon I rise on a Standing Order 40 application to present a motion to this Assembly. It has already been distributed to the members. Of course, Standing Order 40 applications are to be made in a case of urgent and pressing necessity, and it is asking for the Legislature to take a specific action.

Regarding the urgency, over the last few years I've been receiving increasing numbers of letters and phone calls from seniors groups urging the government to reinstate their benefits that were taken away a decade ago. In recent months the calls for the reinstatement of seniors' benefits from groups like COSA, the Coalition of Seniors Advocates, and Seniors United Now, also known as SUN, have become even more urgent as the people they represent have become more desperate.

Over the past decade Alberta seniors have seen the universal benefits they had enjoyed dwindle away to almost nothing. Middle-income seniors were hit the hardest since they now qualify for virtually no seniors' programs yet still bear the burden of increases to utility rates, car insurance, and long-term care. This was illustrated by a recent Alberta Council on Aging poll that showed that after social activities and transportation seniors were cutting into their food and health budgets to pay their bills. I believe that it is urgent that we address that concern.

The response from the government has been to reduce seniors' benefits by allowing the increase of other user fees that seniors have to pay and increasing health care premiums and soon likely Alberta Blue Cross.

I urge all hon. members of the House to grant unanimous consent for the motion and to reinstate the universal optical and dental benefits programs for seniors.

Thank you.

[Unanimous consent denied]

head: **Orders of the Day**

head: **Transmittal of Estimates**

The Speaker: The hon. Minister of Finance.

Mrs. Nelson: Thank you, Mr. Speaker. I have received a certain message from Her Honour the Honourable the Lieutenant Governor, which I now transmit to you.

The Sergeant-at-Arms: Order!

The Speaker: Hon. members, the Lieutenant Governor transmits interim supply estimates of certain sums required for the service of

the province and of certain sums required from the lottery fund for the fiscal year ending March 31, 2005, and recommends the same to the Legislative Assembly.

Please be seated.

Mrs. Nelson: Mr. Speaker, I now wish to table the 2004-05 interim supply estimates. These interim supply estimates will provide spending authority to the Legislative Assembly and the government for the two months ending May 31, 2004. By that date, it is anticipated that spending authorization will have been provided for the entire fiscal year ending March 31, 2005. As announced previously, we are tabling Budget 2004 on March 24.

When passed, these interim supply estimates will authorize approximate spending of \$5 billion in operating expense and equipment and inventory purchases, \$133.5 million in capital investment, \$66.4 million in nonbudgetary disbursements, and \$313.6 million in lottery fund payments.

Interim supply amounts are based on department's needs and fund government programs and services until the end of May. While many payments are monthly, other payments are due at the beginning of the quarter and fiscal year. Some payments are seasonal.

head: **Government Motions**

11. Mrs. Nelson moved:

Be it resolved that the message from Her Honour the Honourable the Lieutenant Governor, the 2004-05 interim supply estimates, and all matters connected therewith be referred to Committee of Supply.

[Government Motion 11 carried]

12. Mrs. Nelson moved:

Be it resolved that pursuant to Standing Order 58(9) the number of days that Committee of Supply will be called to consider the 2004-05 interim supply estimates shall be two days.

[Government Motion 12 carried]

head: 2:50 **Government Bills and Orders
Second Reading**

Bill 21 Child Welfare Amendment Act, 2004

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

Mr. Cenaiko: Thank you, Mr. Speaker. I move second reading of Bill 21, the Child Welfare Amendment Act, 2004.

This bill proposes a number of minor amendments to the Child Welfare Amendment Act, 2003, which received Royal Assent last spring.

The need for these amendments arose during the process of drafting regulations and preparing for the implementation of this new child welfare legislation. The amendments in Bill 21 are largely a matter of housekeeping. They will clarify wording in places where there are inconsistencies or ambiguities and will also ensure that the act is aligned with the Family Law Act and the Vital Statistics Act. This means making the wording consistent between the acts and allowing for the consolidation of some of the regulations. The amendments will also ensure that children receiving services under the Protection of Children Involved in Prostitution Act will have access to services provided by the child and youth advocate.

These amendments, Mr. Speaker, will also allow for a smoother transition between the existing and new legislation by, for example,

providing sufficient time for facilities to apply for licensing under the new provisions. Other amendments include clarifying that a foster parent or someone with a very close relationship with the child can apply for a review of a director's decision and represent a child's wishes during a review and appeal process.

Mr. Speaker, the amendments in Bill 21 will fine-tune Alberta's new child welfare legislation. This is important legislation that will help us better support and protect Alberta's children, youth, and families.

Mr. Speaker, I am pleased to move second reading of Bill 21.
Thank you.

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

Dr. Massey: Thank you, Mr. Speaker. I listened with interest to the member speaking about Bill 21, the Child Welfare Amendment Act, 2004. The number of bills and amendments to the original Child Welfare Act are becoming numerous, and when I saw that this was on the Order Paper, it really made me wonder if things are being thought out as thoroughly as they should be. If they are, why do we keep finding ourselves back here with more and more amendments? Each time we're told that the amendments are minor, and that's only a prelude to a set of amendments that will be tabled the next session.

I think that some of the departments have managed to put up the draft regulations before we have to consider the bill in the Legislature. If I heard the member correctly, he indicated that these amendments are a result of changes needed after the regulations had been drafted. So, again, maybe it would be better if the department followed the lead of other departments like the Department of Justice, where we get a look at the regulations and, more importantly, where that department gets a look at the regulations and can make the adjustments needed in the bills before they appear in front of us in the Legislature.

That having been said, Mr. Speaker, I doubt if things will change, and I predict that we'll be back here next session with another amendment to the Child Welfare Act because something else has been overlooked.

There are a number of changes in the bill. It redefines the job of the child advocate and includes the Protection of Children Involved in Prostitution Act. It allows the advocate to delegate his duties to people within the sphere of the youngster's life.

We have always had difficulty with the positioning of the child and youth advocate, Mr. Speaker. We believe that it should be a legitimate officer of the Legislature and that answering to the minister is an inappropriate position for the advocate to be placed in. As far as the amendments don't deal with that, we feel that it's a mistake, and that's a position we've had over the past number of years.

The changes in the alternative dispute resolution are going to be again defined by regulations, and I would ask if those regulations have been drafted. I guess there are some other questions with respect to the disclosure of documents created by the alternative dispute resolution. It's being broadened to include any documents that affect the development of a child, and when you think of it, Mr. Speaker, that really almost opens the door to anything.

How do you determine what isn't going to affect the development of a child? I guess the question it also raises is: who's going to protect a child's personal information after the dispute is settled? So there are a number of questions around this particular provision that I think need to be clarified before we proceed.

The bill removes the financial contributions that the family may have to provide when their child goes into the service and allows the court to demand treatment for both the child and guardian. It seems

to give the court the ability to make decisions without regulated control on what is required to bring the family back together. At least that's the impression that we're left with.

The bill further changes the amount of time for which a court can make a secure services order from 10 to five days. It forces the family guardians to be notified by any means necessary within one day if this secure services order is given by the courts. They may apply for five days to stabilize the child or assess the child and prepare a plan for services. There's also a set of information that is supplied to the child when a secure services order is passed. Some minor changes: change in the amount of time from two to three days for the review of the secure services order.

The bill also repealed all the information about how Children's Services would obtain child support and allows a director to apply for child support to the courts. I think this is a section that we have to look at carefully, Mr. Speaker. It deletes a large part about child support from the original act, and it removes the process by which directors would act to obtain child support. The question it raises, of course, is: what's going to be done now? Does the child support law handle this?

The act repeals the law that requires a native child to be registered under the Indian Act and removes the requirement for all documents to be sealed that are used to require a consent of the minister or the court. Again, it raises the question: how are these children going to maintain their treaty status after adoption? And why was this particular change brought in?

There's now an 18-month wait before residential facilities will have to be properly licensed, and the minister may also vary the terms and the conditions to which that licence is subject, Mr. Speaker. I guess the question is: why? Why does the minister need this control? And why was this considered an appropriate time period?

Another provision is that the court may direct a child to have legal representation if the court believes the views of the child are not being adequately represented. It further allows the court to ask for records from Children's Services if required in a case, but they still can't reveal the client or guardian. The bill has spelled out exactly what would be required to get a record and how that information would be treated once before a court. It gives the director licence to publish the name and personal information of a client if they deem it in the interest of justice.

3:00

The bill is, as the mover indicated, an amendment. Many of the clauses are housekeeping clauses, but there are some larger issues that I think we deserve an answer to before we proceed with the bill. Hopefully, we'll receive those answers from the minister or the mover of the bill.

[Mr. Shariff in the chair]

One final provision that I think again deserves some explanation is the change in the amount of time you can sentence a parent or guardian who causes a child to be in need of protective services from 12 months to 24 months. While we sympathize with that provision, Mr. Speaker, two years is really a long period out of the child's life, and that's particularly true of a very young child. Again, some explanation of why there has been this extension of that provision would be of interest.

I think those are the comments I have at this stage, Mr. Speaker. Thank you very much.

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

Ms Blakeman: Thanks very much, Mr. Speaker. I appreciate the opportunity to just raise a couple of questions and concerns briefly touched on by my hon. colleague for Edmonton-Mill Woods. I'm particularly interested in knowing the history and the reasoning behind section 15 in the bill, which is – here we go again – really amending the old sections 57.2 and 57.5 to 57.9. Now, I know that we're not to be going into word-by-word and clause-by-clause analysis of a bill at this point. We're really talking about the principle of the bill, but I'm struggling to approve of the principle of this bill when I don't understand why these actions are being contemplated.

Specifically what's being considered here is that the sections talking about support orders – we would usually call them maintenance orders – are being eliminated from the originating act, the Child Welfare Act, and a very short section is being left in which essentially says that if the director of child welfare has a child in custody or has a temporary guardianship order or a permanent guardianship order, I suppose, or the director has entered into a family enhancement agreement, the director can enter into an agreement whereby the guardian of the child agrees to pay child support. The only other section that's left in here is that that doesn't prevent the director of child welfare from also applying to the courts for child support. That's it.

Now, what's being removed from the bill with this amendment is everything else. Well, what does that mean? Just let me briefly go over some of the things that it means. It's taking out the set-up, you know, if a director of child welfare takes over guardianship of the child. They, obviously, have been able in the past to go and seek an agreement or an order or apply, according to the form prescribed in the regulations, to the court for basically child support. Traditionally what we've had is the situation with maintenance enforcement where the maintenance is usually paid through the custodial parent. I'm struggling to see how this is still going to work out in this new arrangement.

Traditionally, if the custodial parent is receiving benefits from the government, the government has set it up that they have a right to claim the maintenance money that would usually be flowing through the custodial parent to the child, especially if there are arrears. Then we say that the government has subrogated that money; they've claimed it for themselves. They've repaid themselves the money that they are offering in assistance, and nobody seems to have a problem with that at this time.

When the government goes to chase down that money, they've been pretty vigorous in doing it mostly because they're getting it for themselves. That has had a lot to do with their tenacity in trying to get the regular payments established and also in pursuing any arrears, any debt that has built up as a result of this. We have a maintenance enforcement program to do that, and it also, of course, has been expanded and now will assist people whose maintenance orders are not subrogated to the government. That was the genesis of it.

So we have a child welfare agreement here that is now removing all of the other rules around how the director of child welfare goes about establishing support orders or obtaining money from a guardian in support of a child. It's striking out sections like an order of the court can be retroactive to the commencement date of the child coming into the custody of the government. If the court is going to make an order requiring a guardian to pay, they have to consider certain things like the income or the earning capacity and the financial resources of the guardian or the parent. They have to consider the value of the estate, if there is an estate that's being held in trust for the child. They have to take into consideration the needs

of the child. That whole section is now being taken out and another whole section around review.

We traditionally have had a system where someone is always able to appeal a decision. They can go to a higher level or a different level and appeal a decision that's been made. That's being removed in this section. So what we have in this amendment act is that it's proposing to strike out all of these things that I'm talking about. It would be striking out the ability of a guardian or a parent or a trustee that has been ordered to pay child support, their ability to apply to the court for a review of the order. That's now being removed.

The court when looking at an order under this section can decide to “vary, suspend or terminate the order or may reduce or cancel [any] arrears.” That's being removed. So everything to do with support orders is being taken out except for the first two sections that I talked about; that is, that the director of child welfare can seek an order whereby a guardian would agree to pay child support – it doesn't say to whom; I'm presuming to the government – also that that doesn't stop the director of child welfare from going to the courts to seek a court order for child support. All the rest of the set-up, the rules around how we usually deal with child support are being removed, and I've already listed quite a few of them, including that review process and the ability of the courts to vary the order that's in place.

It sets out that an agreement or an order that was under this would terminate, and then it gave the conditions under which it would automatically terminate, like if the child is adopted or if the child died or if the child, you know, reaches the age of majority or if the child married, for example. All of those would be reasons that the court order would be deemed fulfilled or null and void. That section is being removed.

We also have a section where it sets out the responsibilities of the director of maintenance enforcement under this arrangement. It makes me a little nervous that all of this is going away, and I'm seeing two pretty narrow sections being left in place without all the rest of these supporting rules. So I'm looking to the sponsor of the bill to explain to me on the record why this is being removed. There may well be a very simple explanation, but I get a little nervous when I see things like this happening and I'm not hearing why being articulated.

Those are the concerns that I'm seeing because I'm a proponent of the maintenance enforcement program and of court-ordered support for children. I'm not sure why I'm seeing the government abolish all the rules that we have been operating under or what we understand has been the relationship we expect to have there, why it's all being taken out, including avenues of appeal, when the thing starts, when the thing ends, how one appeals it, how one buries it. All of those rules are now struck, and I would like to know why. How does the mover of the bill anticipate all of this is going to be handled? I sure hope I'm not going to be told that this is going to be under regulations now, because that will make me really unhappy, and you know that when I get unhappy, I get wordy, usually late at night.

3:10

So if I could hear from the mover of the bill why that is happening, it would make me more interested in supporting this bill in principle at second reading. At this point I will have to reserve my opinion. Well, actually, that probably means I'll have to not support it in second reading until I can hear some sort of explanation for this. There's something wrong here, and I'd like to hear the answer for it.

Thank you.

[Motion carried; Bill 21 read a second time]

Bill 22
Election Statutes Amendment Act, 2004

The Acting Speaker: The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I rise to move Bill 22, the Election Statutes Amendment Act, 2004, for second reading.

Like last year's electoral boundaries commission act, the responsibility for carrying this bill on behalf of government rests with the Department of Justice and hence the reason I'm bringing it forward, although it deals with acts which are really the purview of the Legislative Assembly itself.

The bill makes amendments to legislation based primarily on numerous recommendations made by the Chief Electoral Officer. This will help to ensure that our legislation is up to date prior to the next election. I must say off the top, Mr. Speaker, that I'd like to recognize Alberta's Chief Electoral Officer, Brian Fjeldheim, and all of the people who work with him. The staff at Elections Alberta had a busy year last year with the whole redistribution process and working with the commission on that behest. Their efforts on behalf of all Albertans ensure that we can be proud of our electoral events, that they're conducted fairly and in an unbiased and impartial manner, that all parties and stakeholders, regardless of political party or viewpoint, have a set of rules and can abide by those rules. Albertans can be proud of their democratic experience.

Tabling this bill does not, I hasten to add, indicate anything with respect to an early election call, as was suggested by the Member for Edmonton-Centre following the press conference that we had about the agenda for this year's session when I mentioned the Election Act. The question of an election call is not in my purview. This is simply a bill to update and improve the Election Act, based primarily, as I said, on input from the Chief Electoral Officer.

For the most part the bill contains minor housekeeping and updating of the legislation. It makes several important and significant changes, however, and I'd just like to highlight a few of them for the Assembly. Bill 22 makes numerous amendments to four acts: the Election Act, the Election Finances and Contributions Disclosure Act, the Alberta Personal Income Tax Act, and the Alberta Corporate Tax Act. I'll go through the key amendments in each of these acts.

There are more than 150 amendments being made to the Election Act. That may seem like a daunting task, but most of them, as I say, are amendments of a housekeeping nature that reflect needed changes recommended by the Chief Electoral Officer. Because the act is very specific and quite codified, small details that one might not otherwise expect to find in an act, like allowing the authority to hire and delegate certain responsibilities to an executive assistant, those sorts of things, are included right in the act.

Dr. Taylor: Is one of the changes an election every 10 years?

Mr. Hancock: The hon. minister from Cypress-Medicine Hat has advocated 10-year terms in the act, but I can assure him that most of us are quite happy to go back to the electorate and get our mandate renewed on a regular basis.

The bill will update and clarify a description of the duties of the Chief Electoral Officer and his office, amend several definitions such as the poll book, official agent, and seniors' lodge to ensure that they're up to date and deal with more current terms. Existing legislation also addresses how candidates' names appear on the ballot, updates the format of how names appear on the ballot. The change will basically boost the font size.

As you can tell, Mr. Speaker, some of the things that we're dealing with in this act are very, very detailed, not like you'd expect to find

in most acts but for the clarity of ensuring that electors, candidates, parties can look at the act and see all the rules clearly spelled out.

Other changes of significance in this act include amendments that will improve accessibility to apartment complexes and mobile-home parks for enumerators as well as for candidates and campaign workers. Again, we're trying to ensure here that Albertans have every opportunity to participate in their elections, so making sure that they're on the voters list is absolutely essential, of course, and making sure that they have access to information so that they can be informed prior to voting is also essential. In keeping with the tradition of the act, making sure that access is available for enumerators and candidates and campaign workers is essential. Enumerators will also be required to visit a residence at least twice more after an unsuccessful first visit.

Other amendments will help to ensure the accuracy of the register of electors, also known as the list of eligible voters, as well as control access to that personal information and protect the privacy of voters.

One very significant change will significantly improve the flexibility of the way we use advance polls. Under existing legislation advance polls can only be accessed by a select group of people under very specific circumstances. Eliminating the limitation will make this option available for even more Albertans who may wish to vote but for whatever reason are unable to get out to the polling station.

Mr. Speaker, we're always concerned about the turnout of voters and making sure that people have every opportunity to vote, and I think this change is a significant one, because while you're not encouraging everybody to vote in the advance polls, often people don't vote simply because of inconvenience. Opening up the advance polls so that people can vote at them without having to sign a declaration saying that they're going to be absent from their normal residence on election day makes it available and perhaps will encourage even more people to get out to the polls.

I would indicate – this is not an amendment – that in the Election Act there's a provision for a person to vote at the returning office any time during the writ period, I believe, after nominations have ceased. Again, the key here is to ensure that all Albertans have the opportunity to participate and are encouraged to participate in elections.

I wouldn't suggest that this is the final solution to that broader issue of encouraging a higher turnout of voters, but I think anything we can do to encourage Albertans to take advantage of their right to vote is a step in the right direction.

Along this line, the rules that govern the use of special ballots are also clarified under Bill 22. A new change to this area of the act will allow secure voting for those Albertans who feel that their personal safety may be at risk if they appear in person at the polls. Again, this will not necessarily be used by a wide number of people, but in keeping with the concept of protection of privacy and in keeping with the concept that there may be people who do not wish their location to be disclosed or do not wish to be accessible because they fear that they're at risk either from a family member or some other threat, this change will make it possible for them to participate without endangering themselves.

Special ballots that are cast by mail are requested throughout the election period in writing, by phone, fax, or in person and have traditionally been reserved for special circumstances such as physical incapacity. This amendment will extend these circumstances to those people who feel that their safety may be at risk. With our co-ordinated efforts, as I was talking about, to address family violence, including the work being done by the Minister of Children's Services, this is but another example of how we can help to ensure the safety of those people that feel that they are at risk.

3:20

With that, I'd move on to the other major act that's being amended by Bill 22. The Election Finances and Contributions Disclosure Act helps ensure the transparency and accountability of candidate fundraising and party finances. One amendment will allow the office of the Chief Electoral Officer to publish candidates' expenses on the Internet. Another amendment will clarify that donations raised at a fundraising function are considered contributions and are therefore subject to disclosure. Other changes will clarify that public institutions and their subsidiaries, such as municipalities, regional health authorities, school boards, are prohibited from making political contributions. Another amendment will allow the Chief Electoral Officer to cancel the registration of a political party if it fails to run a candidate in a general election or senatorial election.

Other changes are significant in that they increase the maximum contribution limits to a party's constituency associations and individual candidates for the first time since 1980. These amounts are being increased by 33 per cent, which I believe is significant. However, it's been nearly 25 years since the numbers were first put in place, so the increase is not, in my view, unreasonable.

Just for the record I'll go over each of the changes. The maximum contribution for individual candidates will be increased from \$1,500 to \$2,000 and from \$7,500 to \$10,000 in total for candidates of each of the registered parties. The maximum contribution to individual constituency associations will rise from \$750 to \$1,000 and from \$3,750 to \$5,000 in total for a party's constituency association.

One other item which I should've mentioned perhaps under the Election Act is the increase in the deposit. I believe the increase is to \$500 from currently \$200 or \$250. The purpose for the increase is to give the Chief Electoral Officer a tool to encourage candidates to file their financial statements on a timely basis under the Election Finances and Contributions Disclosure Act.

Formerly a candidate would put up a deposit, and if they achieved 50 per cent of the winning number of votes, they'd be entitled to the return of their deposit. Now that the deposit is doubled, they still get the first 50 per cent, the first half, back if they meet the first test; that is, 50 per cent of the winning candidate's votes. They get the second half of the deposit back regardless of the number of votes they get if they file their financial statement on a timely basis. This is a tool that was asked for by the Chief Electoral Officer just to encourage candidates to make sure that those filings are made.

Obviously, the Alberta Income Tax Act and the Alberta Corporate Tax Act have to be amended in a corollary fashion with respect to the maximum contributions and donations. These amendments increase the political contribution tax credit for both individuals and corporations. Like the maximum contributions named above, the amount has been \$750 since 1980. Under Bill 22 it will be increased to \$1,000.

In conclusion, the changes under this bill are primarily those that were brought forward by the Chief Electoral Officer. Obviously, he didn't make comment on the amount of the contributions, but with respect to the operations of the Election Act those are primarily concerns that he's put forward to modernize and improve the act and improve his ability to work with his staff in running fair elections in the province. So I would encourage support from members of the Assembly.

The Acting Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. It's with interest that I rise and participate in the debate this afternoon at second reading of Bill 22. I certainly was a keen listener to the hon.

Minister of Justice and Attorney General's remarks in regard to Bill 22.

We are looking at changes to four acts, 150 amendments. It is, as it was described by the hon. minister, an update and an improvement in some areas, but I don't know if it is an improvement in all areas. Certainly, there was a discussion with the Chief Electoral Officer of the province, but I wonder what other consultations went on in regard to this legislation. [interjection] Now, the hon. Member for Drayton Valley-Calmar seems interested in participating in debate, and I will be anxious to listen to his comments in regard to this bill as well.

If one were to look at this bill and think that if there was one purpose and one purpose only and it was to increase voter turnout rates in the province, then this bill would certainly be worthy of support. We need to improve voter participation in elections in this province; there's no doubt about that. It astonishes me. Some communities which have the most to gain and the most to lose from good or bad public policy have very low voter turnout rates, and anything we can do to improve that should be supported.

Now, I believe the hon. minister stated that Albertans should be given every opportunity to participate in elections, and I agree with that. But I do have some questions at this time in regard to this bill, and section 13 certainly comes to mind.

The Chief Electoral Officer may assign, in respect of each elector whose information is contained in the register, a unique and permanent identifier number consisting of numbers or letters, or a combination of numbers and letters, to be used to assist in distinguishing an elector from another elector or verifying the information about an elector.

On first glance this whole idea of having a UIN, or a unique identifier number, to me would be a form of branding. It is, in my view, at this time, unless there's further explanation from government, Orwellian, and it certainly would be unnecessary.

What is precisely the purpose of this unique identifier number? Why is it necessary to have a series of letters and numbers to identify each voter in this province on an electoral list? What's going on with this? Are there problems that we don't know about with the current system, where all the information is in the poll book? I don't think there is. Is this government at some time contemplating going to on-line voting or Internet voting? Is that why we're going to brand Albertans with one more number?

We have a driver's licence number; we have a social insurance number. Now we may be assigned by the Chief Electoral Officer this UIN. I think members of this House and certainly Albertans are owed an explanation as to why this branding may occur.

We can look at some of the attempts at Internet voting in other jurisdictions, and one would have to say that to have confidence in this process would be stretching it. I'm privileged, I believe, to have read in the recent past an editorial observation by Adam Cohen in the *New York Times* dated Sunday, February 29. Mr. Cohen writes an interesting piece on electronic voting. If we are setting up in this bill the foundation for future attempts at this in Alberta, then we have to have a much broader debate, and there has to be a much broader consultation than the one that was done in regard to this bill.

3:30

Certainly, there are both sides to the story in America. There are both sides to the story in Canada. Many organizations, including the political party that I'm a member of, have tried successfully and unsuccessfully various methods of voting. Mr. Cohen writes:

But modern technology is creating a whole new generation of conspiracy theories – easy to imagine and, unless we're careful, impossible to disprove. The nation is rushing to adopt electronic voting, but there is a disturbing amount of evidence that, at least in its current form, it is overly vulnerable to electoral mischief.

There are a growing number of electronic voting skeptics. There are a number of widely reported election results that some pundits have said have been a surprise.

Now, I would urge all members of this Assembly and all members of the public who have Internet access to check out www.blackboxvoting.org and see for themselves one side of this issue, because we have a lot of debate that has to occur if this is the intention of adding this UIN to the voters list. Is this what the future is? Or should we remain with our traditions, particularly in this democracy, where you go, you get your ballot, you mark it to the candidate of your choice, and you put it in the ballot box?

I don't think schemes such as this are going to increase voter participation. In fact, I think it would be the other way around. There would be fewer people interested in voting. Mr. Cohen has a lot to say about electronic voting, and I would urge all members of the Assembly to read his article. In fact, Mr. Speaker, perhaps I will table that for the benefit of the Assembly tomorrow.

Now, we're also looking in section 17 at adding the unique identifier number, and the same questions would apply there, Mr. Speaker.

We can go further on, and we can see where we're going to increase the amount that a candidate has to pay to enter the election, whether or not they are successful or whether or not they reach the threshold to have their money returned to them. We are increasing the amount from \$200 to \$500 to file papers.

I wonder why that is necessary. Why did we more than double that amount? Democracy is apparently getting expensive in Alberta. I don't think we can prevent candidates who want to enter an election or participate in an election campaign from doing so, and I'm afraid this fee will do exactly that. It will reduce the number of candidates in an election.

I think that in a parliament, in any parliament, the more voices and the more views that are expressed, the better government you have and the stronger democracy you have. There are some political parties – I'm not saying the one that I'm a member of; others would say that – that certainly would have a great deal of difficulty with the \$500. There may be a candidate or a person in any constituency across this province who may want to run as an independent and may not have that \$500 and may have some excellent views on some very important issues, and I think their voice should be heard. I don't think we should be putting a price on democracy and making it unaffordable with that amendment.

Now, further on here – and perhaps this question, Mr. Speaker, will be addressed during committee – in section 116 as amended, an application for a special ballot. We are now allowing that to occur by electronic mail, or e-mail. Is a signature going to be no longer required as a result of this to get a special ballot? Certainly, the hon. minister talked about this idea of having a special secure ballot. I believe that's how the hon. minister addressed that issue. How many special secure ballots does the minister estimate will be issued during an election? I think that's a good idea. I think that's a really good idea in case there are people who for one reason or another do not want to be identified at a polling station or do not want to come near a polling station for obvious reasons. That is one amendment that I certainly at this time would support.

I believe the hon. Member for Edmonton-Centre is going to have some questions or some concerns around the repealing of section 158 and the interference with the right to access. There's going to be a penalty if one is found guilty of an offence and "liable to a fine of not more than \$1000." I, too, have been limited or banned from certain premises.

Mr. Hancock: It's a small wonder.

Mr. MacDonald: The hon. minister says that it's a small wonder.

In a democracy during an election everyone should be allowed free and easy access to the voters, and the hon. Member for Edmonton-Centre is going to talk about that. But I think that in this case the fine should be increased. Everything else seems to be going up in these amendments. Why is that fine not going up?

An apartment manager, for instance, may not take particular pleasure to one party – let's say that it's the Progressive Conservative Party – and prevents that candidate from accessing that building and repeatedly throws out the candidate. So I think we need to have a look at this. This has to be enforced vigorously. Not only is it the responsibility of the respective campaign teams to know the law and present the proper documentation to building managers in this case, but I think the electoral office has to make more of an effort to ensure that managers of buildings know what the law is and that each and every candidate has the right to canvass there between the hours of 9 in the morning and I believe 9 in the evening.

Again, I'm sure there is good reason for this from the Minister of Justice and Attorney General, but in section 163 why are we instituting under this act that no prosecutions will take place without the consent of the Chief Electoral Officer? Now, the Chief Electoral Officer is going to have the final say in this matter. Would not in some cases perhaps a Crown prosecutor? Why is that amendment in there, "consent to prosecute"?

Now, the hon. minister spoke about this earlier. In my view, this is wrong because it's less public notice. It looks like we are attempting to repeal here

the amount of the expenses in total based on the financial statement submitted by each candidate pursuant to section 43 to be published in a newspaper circulated in the electoral division of that candidate within 30 days after the date on which the financial statement is approved by the Chief Electoral Officer.

Why are we repealing that? As I understand, this information will be published on the web site of the Chief Electoral Officer. Well, I would like to see, in fairness to those Albertans – and that's roughly half. This would be the repeal of section 4 under the Election Finances and Contributions Disclosure Act, part 2. Why could we not have both Internet access and have that published in a newspaper as well, particularly for seniors who don't have access to the Internet?

3:40

If we're going to put these fees up from \$200 to \$500 and we're going to collect other fees for distribution of information, surely it shouldn't be a matter of cost. If we're going to put these fees up, we can still afford to rent a little space in the *Edmonton Examiner*, for instance. I don't think that is in the interests of openness and transparency; I'm sorry.

We're going to increase donations to political parties. The federal government is changing their laws regarding campaign donations, changing their laws significantly, yet here we are increasing campaign donations. Certainly, there are those political wags who would say, "Well, that should benefit the Alberta Liberals," because we have a lot of outstanding debt. But what sort of presentations were made to the chief electoral office to urge the office, as I understand it, to recommend that we have these changes and that we increase significantly what can be donated to a respective political party?

Certainly, there are many issues, but in my first look at this bill, Bill 22, Mr. Speaker, I would have to say that there are improvements. But I'm not convinced that this update is going to improve Albertans' voting participation rate. I can't understand why we need this UIN, this unique identifier number. People are regulated enough in this society, and I can't understand it unless at some time

in the very near future there are plans to implement electronic voting.
Thank you.

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

Ms Blakeman: Thanks very much, Mr. Speaker. I'm pleased that I can put a couple of comments on the record in second reading on Bill 22, the Election Statutes Amendment Act, 2004. I am glad to see this coming forward. There are a number of issues that have been long-standing problems, which, I believe, there is an attempt to address in this proposed legislation.

There are a couple of other, more global issues I want to address around this bill before I get to the specific issue of so-called free access. I've been saying for some time that we must as legislators bite the bullet, take the big step, do the right thing, all of those clichés. But what it boils down to is that we have an increasing distance between the electorate, between citizens, and the democratic process. They don't feel engaged in it. They don't feel that it's fair. They don't feel that their vote counts or that they're able to effect any change if that's, in fact, what they're seeking. That's problematic.

I mean, at the outset people laugh and say: oh, you know, come on; it's just because you're in the Official Opposition and you want everything to go your way. But I think there's a larger problem here. In Alberta we now accept as a given that we're dealing with a 50 per cent voter turnout. That's bad, and we know it's bad, but at what point do we say: can I get the government, can I get my colleagues in this Assembly to admit that there really is a problem? At 40 per cent voter turnout? At 35 per cent voter turnout? At 30 per cent voter turnout? How much moral sway, how much right to be there does a government have if they've been elected by only 30 per cent of the people that are eligible to vote?

I think at a certain point it's sort of the opposite of critical mass. In a critical mass situation you're trying to get enough people in place that they affect the outcome of what you're trying to do. We talked about the representation of women and getting enough women elected into political office to start to affect the policies and procedures of government. What I'm talking about is the opposite. At a certain point I think we lose the moral authority to be legislators when we can't attract enough people at some percentage to support us being elected into official office.

So we really need to address this. I think there needs to be wider change than what's anticipated in this bill, but I'm willing to say okay for the small detail stuff and in some cases for the larger detail stuff that is being looked after in this bill, and I am glad to see it.

We still need to go back and look at things like the first past the post system that we're using right now and the electoral boundary system that we have in place. It does make some votes more valuable. It particularly makes rural votes more valuable than urban votes, for example, and since we have two-thirds of Alberta's population now living in the metropolitan areas of Edmonton and Calgary, that becomes significant. When those people get angry enough that their vote isn't counting the same, we have a problem here.

So there is a need to address that larger democracy challenge here. I think we do need to be looking at things like probably a hybrid or mixed system of proportional representation and first past the post to sort of ease into it, but we have to make some major changes in what we're doing.

The second sort of overall contextual thing that I want to talk about is younger voting, youth voting. I think, again, this is about being able to attract a different generation of people to what we're doing. It's quite common that younger people don't vote. I mean,

I couldn't wait to get to my 18th birthday and be able to vote. It was important to me, but it wasn't to most of my colleagues at the time, and I think that's still true.

The difference is that up to now we knew that people would learn to vote. Maybe they weren't interested when they were 18 or 19 or 20, but when they started to get into their mid-20s or their later 20s, they started to realize the effect that government legislation has on their lives. They maybe get married; they start a family; they buy a house; they get a car loan; they get involved in the stock market. There are all kinds of other places where what we do in this Assembly affects people's lives. They start to realize that, so they would start to vote.

What we know now through the work that's being done by the council for unity in Canada and some other groups that are working on this kind of democratic reform is that the current generation of younger voters is not learning to vote. If we can't get them to vote now, they don't seem to be learning to vote. Whatever is happening in their lives, it's not convincing them to start voting as they get a little older. They're just not.

That is problematic for us. Refer back to where I started when I was talking about the 50 per cent voter turnout and what we are going to do when that starts sliding below 50 per cent towards 40 per cent. So just hearken back to all the things that happen there.

3:50

I believe that my colleague from Edmonton-Gold Bar raised a number of really good issues around electronic voting, and I support him in everything he's saying there. At the same time, I'm looking at the younger people that I'm working with, and they have an affinity with the Internet and with computers that we do not have. They get it; they are there; they think that way. Somehow there's a connection between them and that electronic machine. I think we do have to start looking at the idea of electronic voting and other citizen participation initiatives to start to capture those younger voters because they're not captured; they're not energized by what is in place right now.

Our voting system has changed. I mean, we tend to go: oh, no; it's always been the same for us. No, it hasn't. Come on. You know, women weren't allowed to vote at one point; aboriginal people weren't allowed to vote at one point. At one point it was only property owners that could vote in certain elections. So things have certainly changed and moved on, and for us to claim that no, no, it's always been this way, it's just flat-out wrong. There have been changes that have brought more voters into the system or made it more attractive for people to vote, so we need to think about stuff like that.

Now, I want to specifically talk about a couple of sections here, and that's about this concept of free access. As we get more and more security buildings in the province – that is, a multiple-unit building, whether it's a gated community, whether it's a security high-rise building that is either apartments or condominiums or any other building that you can't walk freely into – we now create two different levels of citizens as far as their access to information about political campaigns and candidates.

Generally speaking, most people can walk up to the front door of a single-family detached house. Yeah, there are things you've got to be careful of, the dogs in the front yard and all of that kind of thing, but essentially there's nothing barring you from being able to walk up and knock on that door. The person can come to the door, look out, and go, "Oh, it's a candidate. I'm not going to open the door and talk to them. No, thank you." That's fine. They are entirely within their rights to do that. But the candidate managed to get to the door and was able to present themselves, and the individual can

still make up their mind as to whether they wish to open the door or not.

The situation that's developed with security buildings and gated communities where there is a secure electronic barrier preventing candidates from being able to even get to the door is that we have two kinds of people: those that can open their door and engage with a candidate if they wish to and those that never even know that a candidate was trying to present themselves to them. That becomes problematic right now for those that are seeking political office in larger urban centres, but increasingly those security buildings are turning up in every centre in Alberta; therefore, it becomes a problem, eventually, for everyone.

So we need to make sure that there is the same level of access to the voter, that the candidates can present themselves equally to the voter. If the voter still chooses not to open their door, that's fine. My point is that you've got to be able to get the candidates to the door, and then the voter can decide if they're going to open their own door or not. That's what's important here.

People are allowing this in that they say, "Well, I moved into a security building, and I mean that I don't want anybody knocking at my door. I'm afraid when people do because this is a secured building. There shouldn't be anyone in here that I don't know who they are." Some of them are fearful, in fact, when you're in an election campaign and people start getting access into these security buildings and, in fact, knocking on the doors.

I think we were setting ourselves up for a whopping challenge, a court case where we end up with a challenge because one candidate was able to get access to a building and another candidate was not able to get access to a building. If we end up with a difference in a final vote of a couple of hundred votes, that could be that building. That's where we're likely to have court challenges happen.

In this bill we now see that two sections have been adjusted to make it clear that in multi-unit buildings the person that's in control of the building is responsible for ensuring that the candidate or the candidate's worker or the enumerator is able to get free access, unencumbered, uninterfered with, to every door in the unit. I'm hoping that that's going to help the problem that has arisen in the past where, in fact, somebody decides to take it upon themselves in these secure buildings and has been allowing one party's candidate access or the workers access to drop flyers or to door-knock but not another party's access. You cannot have that. It must be free and equal access for all candidates to the voter.

I still insist that it's important to be able to get to that voter, get to their door. The voter doesn't want to open it; fine. They don't want to open that door; okay. But they need to know that the candidate is standing on the other side of their door and they did make it that far, and that's the important part of this.

There's been some tussling from these very large rental owners, large companies that own a number of apartment buildings, thousands of rental units, in cities like Edmonton and Calgary, saying: no, we interpret what free access means as different. I actually got into a position where I was told by one very large company: "Sorry, but free access means that you can buzz the buzzer on the outside of this building. If the person lets you in, you can go into the building, go directly to their apartment, talk to them. When you're finished, you have to leave the building, go back outside again, and buzz the next door."

Well, at that rate, as any of us that have worked in apartment buildings or multi-unit buildings know, it would take you weeks to door-knock your way through one apartment building. I have apartment buildings that have 500 apartments in them. I mean, this is just simply not accessible for the candidate. In fact, those people in that building don't even know that they didn't get to see a candidate because it's been taken away from them.

So that's one area that I wanted to see addressed and that I felt could be very problematic for us in Alberta if it wasn't addressed. I'm glad to see that it has made it into this. I know that there are a number of other issues that we will be talking about that are of great interest to people. Therefore, at this point I would ask that we adjourn debate. [interjection] I'm sorry. Is he adjourning debate? I'm sorry. I take that all back. There are people eager right now to speak to this bill, and I'm going to take my seat and let them speak to it.

Thank you.

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

Dr. Pannu: Thank you, Mr. Speaker. I appreciate the opportunity to speak on Bill 22, Election Statutes Amendment Act, 2004. It's a very important piece of legislation, one of the most important pieces of legislation to come before this House here in this Assembly in this session. At least, that's how I see it. In my judgment this is perhaps the most important bill. So I appreciate the opportunity to enter debate during the second reading of this bill.

The bill was introduced just a little while ago, a few days ago, perhaps yesterday. I haven't had, I must confess, the chance to give it a close reading, but I've got some general observations to make based on a quick perusal of this bill.

The election statutes deal, Mr. Speaker, with one of the most important elements in the democratic process which modern democracies have adopted to follow the will and reflect the will of the citizens, who are the constituents, who are the real masters of democratic politics. I see this as a major attempt to amend, to augment the democratic nature of the legislation dealing with elections. Elections are very, very important events. Participation in elections is an exceedingly important concern, the level of participation by voters, by citizens, and the ability of political parties to enter the electoral arena and have a fair chance of competing.

4:00

I think competitive political systems such as the one that we have should have election legislation which encourages competition. Competition is always I think helped and encouraged if there is a level playing field, so any election-related legislation should be judged on the basis of whether it meets the requirements of the basic principle of a level playing field for political actors, political candidates in elections, and political parties, which are key elements in an electoral system and the democratic process in the modern political system.

So I think that in order to judge this bill and its strengths and weaknesses, one of the principles that needs to be kept in mind, Mr. Speaker, is whether or not it furthers the principle of levelling the playing field, a term that is used in this Legislature quite often in different contexts. I would like to see us pay some attention while we're discussing this bill to this principle of levelling the playing field when it comes to election rules and election-related legislation that we debate and pass.

The second principle that I think needs, Mr. Speaker, to be kept in mind all the time when debating a bill such as this one, Bill 22, is whether or not it will encourage and enhance the interest of citizens at the time of an election to turn up at the polling booth and vote. We know that one of the patterns or trends that's a matter of concern to lots of Canadians, Albertans, citizens in our province and other provinces, is the sort of declining level of voter participation in elections.

In this province the rate of voter turnout has been in a steady decline over the last two or three elections. In the last provincial

election we had, I think, close to 55 per cent or less voters that decided to cast their votes. The other 45, 47 per cent stayed away from the polling booths. That's certainly a matter of great concern to the New Democrat opposition, and I think it's a matter of widespread concern to Albertans in general. So that's the second principle when debating the changes in the various statutes related to elections that are being proposed in Bill 22.

Bill 22, Mr. Speaker, attempts to amend existing pieces of legislation, existing statutes. The first statute that's proposed to be amended by this act is the Election Act, which is part 1 of this bill. The second piece of existing legislation, the second provincial statute, that will be amended by way of Bill 22 is the Election Finances and Contributions Disclosure Act. The third important existing provincial statute that will be amended by Bill 22 is – the tax statutes amendment has two parts: the Alberta Corporate Tax Act and the Alberta Personal Income Tax Act.

In the first part of the bill I think the changes proposed to the Election Act are intended to empower the administrative staff of the provincial Chief Electoral Officer to seek greater access both in terms of preparing voters lists and, once the election is called, greater access to various kinds of residential accommodations, buildings, be they apartments, be they condominiums or gated communities, which are beginning to become an instant feature of our urban landscape. So it's increasing access by candidates, political parties, their canvassers to the residents of these residences for the purposes of canvassing their support for the respective candidates and political parties and their programs.

There are some good features, I think, in the amendments being proposed with respect to the Election Act, those amendments that will facilitate such access. We'll have an opportunity to look at those proposed amendments to see if we can improve them during Committee of the Whole stage of the debate on this bill.

Other matters that this bill tries to address, of course, are the Election Finances and Contributions Disclosure Act and the tax statutes amendments, which deal with changing the amount of the maximum limits of donations to political parties, to constituency associations, to individual members, and to political party campaigns. The changes that are proposed in this respect would seem to me to sort of not be addressing the concern that Albertans have with levelling the playing field for different political parties, many of them small, some fledgling and new, and others that have in the past not been able to compete in elections effectively because of their relative weakness in terms of ability to raise funds.

Federal legislation that's come into effect as of the 1st of January 2004 has addressed that issue and, in fact, has provided a minimum of public funding based on a formula agreed to by the political parties represented in the House of Commons and then legislated, of course, at the federal level, which I think is an important step forward in terms of levelling that playing field and encouraging citizens and voters to take elections more seriously and providing a more competitive arena for the election of Members of Parliament. I think similar sorts of steps need to be taken when we are changing the election statutes in this province to achieve very similar objectives.

4:10

I am not sure if I see any reference to making such changes in Bill 22. I haven't come across any such changes, changes that will commit this House and this province to at least partial public funding for registered political parties based on some reasonable formula that will help them take part in provincial elections. If we did that, I think we would increase voter interest in voting. We would certainly open up the system, make it more democratic for parties to be able to compete.

The other step that I think would help increase voter interest and

voter participation and voter turnout in elections would be some sort of a move towards proportional representation, Mr. Speaker. Alberta New Democrats have as a matter of policy supported proportional representation. Since we are in the business of debating and amending existing election statutes to improve the system, I think that to take this opportunity to take a close look at introducing proportional representation as a way of increasing and enhancing voter interest and voter participation and voter turnout would be another important issue that I hope we'll have the opportunity to debate.

The one feature of Bill 22 that I think will not encourage candidates to come forward to take part in elections is the increase in the election deposit, you know, from \$200 to \$500. I think that's something that I . . . My time is over?

The Acting Speaker: Hon. member, your time has run out.

Dr. Pannu: So I would like to adjourn debate at this point.

[Motion to adjourn debate carried]

Bill 23 Fuel Tax Amendment Act, 2004

The Acting Speaker: The hon. Minister of Revenue.

Mr. Melchin: Thank you, Mr. Speaker. I stand today to move second reading of Bill 23, the Fuel Tax Amendment Act, 2004.

The main amendment in Bill 23 will align the legislation with government's recent decision to eliminate the 1 and a half cent per litre fuel tax on eligible international passenger and cargo flights including those to the United States. The purpose of this change is to enhance Alberta's aviation industry's ability to attract international service through a competitive tax environment.

When you look at surrounding areas, even Seattle and Vancouver still have better tax environments for international flights. To be competitive with those jurisdictions, we felt it was important that we ensure that we strive to see that we have transportation hubs, more direct connecting flights internationally. That will help substantially with industry and shipping and containers if they have more direct flights throughout the world and also will facilitate individuals both on personal and/or business travel if we can get more direct flights into our international airports in Calgary and Edmonton.

Furthermore, to accomplish this, the amendments provide for rebates of tax in situations where aviation fuel purchased in Alberta is transported to another jurisdiction and the applicable tax is paid in that jurisdiction.

Other amendments also provide the Minister of Revenue with the discretion to refuse, cancel, or suspend a registration if an individual or anyone related to that individual has contravened tax laws in any jurisdiction. This is to help facilitate and ensure good compliance with all of our tax laws, including the fuel tax collection.

There are a number of administrative concerns addressed in this bill. One is strengthening controls by requiring fuel exporters to register with tax and revenue administration, thereby permitting tracking of fuel movement. The second is to provide an expedient method of notifying persons by allowing demands for information to be served by fax. Third, provide legislation to support the tax and revenue administration policy to apply amounts payable under the act, any amount owing to that person, to the Crown so that we can offset them if there are amounts owing under other legislation. Fourth, extend liability when corporations have made assignment under the insolvency act, the federal act, to the Companies' Creditors

Arrangement Act. Fifth, provide for the waiver of interest in penalties in situations where the circumstances warrant relief. This is similar to provisions that we already have in the Alberta Corporate Tax Act and the Tobacco Tax Act. Sixth, safeguard taxes in situations where collectors are at risk of becoming insolvent by requiring trust accounts to be established. Finally, it provides for extending liability for tax collected to corporate representatives where they have drained the tax funds from business.

Mr. Speaker, those are the main elements of Bill 23, and I'd urge all members to support it. Thank you.

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

Ms Blakeman: Thanks very much, Mr. Speaker. This bill and the timing of it has presented a conundrum to me. What we had was that the announcement of the elimination of this 1 and a half cent per litre aviation fuel tax was made in Calgary, I believe, on February 13, 2004, to be effective on March 1, 2004, and here we are on the 16th of March with the first introduction of the bill before the Legislative Assembly which would actually change the act, which would allow all of this to happen.

Seeing as the government is completely in control of this legislative agenda – when we sit, what bills come forward and in what order, and drawing all of its many backbenchers into place here – I'm having a bit of trouble with having that kind of announcement and having the effect of the program put in place before it's even been brought before this august Assembly to debate and in fact pass it. Although I'm sure that with the enormous numbers that the government has, they had every expectation that they would pass it. [interjection] Once again we have the Minister of Environment chirp, chirp, chirping away back there. He loves to heckle but never gets up and gets on the record.

Dr. Taylor: I'm trying to help you.

Ms Blakeman: Perhaps he could get up and get on the record if he wants to help me. Then he can go on the speaking list. I'm sure the Speaker will keep one for him.

The point is: what is the situation that we're at in this province, Mr. Speaker, when we have these announcements being made? Once again, the government is in total control of when they make the announcement, where they make the announcement, when they make the program come into place, when they put it on the legislative agenda, how they run it through, how their backbenchers are all going to vote for it. So what does that say about this government's attitude towards this Assembly when it so blatantly disregards the legislative process and six weeks ago makes the announcement not even in Edmonton, the seat of the Legislative Assembly, but in Calgary? I just wanted to raise that before I got into the other points that I think are significant about this bill. [interjections]

Dr. Massey: The Minister of Environment agrees with you.

Ms Blakeman: And I'm pleased to have the support of the Minister of Environment. Even if he is heckling me, I'm still pleased to have it.

Dr. Massey: Maybe he'll raise it in caucus.

Ms Blakeman: Perhaps he'll raise it in caucus with his colleagues and maybe get a bit more support about this because I think this timing is very suspect and frankly quite naughty on behalf of the government. Seeing as they've got all this power and control, you'd think they would use it for good and not for evil, Mr. Speaker.

4:20

Dr. Massey: The evil empire.

Ms Blakeman: That's right. The evil empire. Okay.

You know what? I don't really have any significant problems with this bill, except for one section, because it seems to be a reasonable business decision to make to align us with other areas so that our carriers are not at an unfair disadvantage in competition, particularly for cargo, I understand, but also for passenger flights. So a fairly simple adjustment. It looks like it's costing the government \$3 million a year. What I'd be interested in hearing is what they expect will be the ancillary dollars. What do they expect will be the amount of payback that is gained by the province from this forgoing of \$3 million worth of revenue.

The minister and I have had too many conversations in this Assembly now about forgone revenue and measurement of forgone revenue, and here's another one. It must be another spring session. What is the measurement that the sponsoring minister has in place here for this forgone revenue? Essentially, he's saying: I'm not going to get this \$3 million. Okay. What benefits do you expect to get, then, when you forgo that \$3 million? It's very similar to saying: I'm going to pay out \$3 million, and I expect to have a program that gives me thus and so, and it will benefit X number of people, or it will put money into so many people's pockets, or whatever. So what is the expectation from this forgone revenue?

I note at the same time that there was some musing out loud about reducing the domestic fuel tax on aviation fuel, which is worth another \$9 million a year. One, I would ask that the government with all of its power and control please manage to get that before the Legislative Assembly prior to making the announcement and having the program go into place. Since you do have the power of good and evil here, use it for good. Secondly, under what circumstances would the minister be doing this? Thirdly, what does he expect to get from that forgone revenue? What is the flow through or the flow out or the trickle-down that he's expecting to see? He must have crunched the numbers. Please share them with the Assembly.

The other thing that I noticed about this is that it is intended to attract more air traffic to Alberta but also to assist our local carriers in competing, so overall creating beneficial economic activity. If that's the case, the Official Opposition is standing ready to support the initiative.

An Hon. Member: How much money are they going to save?

Ms Blakeman: I asked that one already.

[The Deputy Speaker in the chair]

I know that the Calgary airport was very vigorous in lobbying for this, and I can understand. That's the base of this government's power, and that's where most of them live, and they all like it very much. But, you know, there are two major cities in this province, and I'd like to know what the government is going to do to promote the Edmonton International Airport. What concrete plans does the government have to promote Edmonton and increase air traffic in and out of the Edmonton International Airport?

It's not that I begrudge anything happening for the Calgary International Airport. I wish them well. But I'd like to press this government on being a bit more fair and understanding.

Dr. Massey: More balanced.

Ms Blakeman: More balanced. Thank you.

What plans do they have for working with the enhancement and

increasing air traffic and cargo traffic in and out of the Edmonton International Airport?

Now, the section that the minister was talking about where the minister can withhold making a payment which would otherwise be made under the act to a person who owes a debt to the Crown: I'm going to ask him to expand on this. Exactly what other programs is he thinking of here. I, of course, am wondering about maintenance enforcement, and I'm wondering if he's intending on capturing that kind of program in what he's saying here. He's probably not, but let me try. I just want to find out how he's doing this.

How does that bookkeeping process work? I mean, if he has money that he would be remitting, a rebate or a refund that he could be remitting to someone, if he has money that he's withholding because there is a debt owed to the Crown, under what programs is this debt owed? Are we only talking fuel tax? Are we only talking about a program that comes under the Minister of Revenue's department? Are we anticipating tax payments? Are we anticipating maintenance enforcement payments? Hunting licences? What? Under what circumstances? Also, how exactly does the bookkeeping work on this? Where do we see it turn up in the government books? If he could just give me some clear answers about that.

Finally, the primary concern that I have about this bill. Section 11, I think, is even worse than the usual: let's have a shell bill and give everything to the minister here. Oh, I love this. It's always done in so few words, with such clean economy. We hand everything over to the minister to do whatever he needs to do behind closed doors. Once again, that power of good and evil. Oh, here we have it. Well, this always concerns me. It's placing too much power in the hands of a minister, and this clause is letting a minister "at any time waive or cancel the imposition of or liability for any penalty or interest payable under this Act." Whoa, that's covering a whole lot of possibilities there. So it's allowing the minister absolute discretion over the payment of penalties.

It's also insulating the minister's decisions from review or appeal. There always needs to be an appeal process or at least some reasonable appeal process, but that is not being considered here. Why is the control over the penalty and interest payments being concentrated in just one person, in the minister. Now, the minister here anticipates that there's support staff and things like that, thinking of it as an entity. [interjection] Well, the Member for Calgary-Shaw is suggesting that somehow all ministers would be good guys.

Certainly, I know that that's where the government starts out thinking, but we have examples in other provinces, probably in our own history – in fact, I know in our own history – where people have not always been good guys. You've invested a lot of power in someone that you're hoping is a good guy here.

An Hon. Member: Or a good gal.

Ms Blakeman: Or a good woman. Exactly. Now, perhaps that would solve all the problems. Anyway. I'm focusing here, Mr. Speaker.

What I'm looking for are the checks and balances, and that's what I'm not seeing here. It's concentrating the decision-making power in the hands of the minister. There is no avenue of appeal. So where are the check and balance? If something goes wrong, where's the responsibility of the government here? They abdicated it, and I think that's problematic. I know that this government sees itself as superior in administration, but they make mistakes. Everybody makes mistakes, and you've got to have a fail-safe, and that's not being built in here.

When we're looking at a waiver or a cancellation of penalties or interests, is there any public body that the minister is forced to

consult with or air this in any public way? No, it's not being anticipated in the changes that are brought forward under section 11. No other party is able to review or appeal these ministerial decisions. Very problematic. It places the minister in a very uncomfortable position and doesn't give him or her a lot of protection, and I think that's unwise.

4:30

The question I would like an answer to is: will the decisions be made through orders in council? How, specifically, will they be documented, and how will they be published? How are we going to find out when these decisions have been made? Or are we once again in FOIP purgatory, where we don't know how a decision was made, we don't know who made it, we don't know under what auspices, and there's no paperwork? How is anyone, whether it's an Official Opposition member or a member of the public, to find out where this happened? So I'm making a specific request. I'm sure there are staff somewhere reviewing the *Hansard* that are going to pull this out and help the minister answer the question I'm putting to him. So where will this decision be documented and published? I need to know that.

You know, overall when I look at this, it's not a bad idea. I'm certainly willing to support it for all of the good things that it does. I really don't like that section 11 and everything that is entailed there. I really don't like the fact that there's no appeal and that it, once again, can be secret, behind closed doors, that nobody can find it. I really don't like that.

I have problems with this government flaunting its power and being so arrogant about what we are doing in this Assembly. I know that they've managed to move most of the decision-making outside of this Assembly, but I don't think that's right, and I don't think they should flaunt it so blatantly by, you know, making announcements six weeks ago and putting a program into effect two weeks ago and we haven't even debated the darn bill here.

So with those comments, I appreciate the opportunity to speak freely in this Assembly, and I will let others speak to the bill. Thank you.

The Deputy Speaker: Seeing no further speakers, the hon. Minister of Revenue to close debate?

Mr. Melchin: Question.

[Motion carried; Bill 23 read a second time]

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

**Bill 16
Residential Tenancies Act**

Mr. Graydon: Mr. Speaker, I am pleased to rise and move third reading of Bill 16, the Residential Tenancies Act, this afternoon.

History has shown that relations between landlords and tenants can become strained at times. This bill will hopefully reduce the number of issues that arise, and it will certainly simplify the process for resolving a lot of those issues. This bill treats landlords and tenants fairly and clearly outlines the responsibilities of both parties. It's for this reason that I support third reading and ask for the support of the members of the Legislature.

The Deputy Speaker: The hon. Member for Edmonton-Gold Bar.

Mr. MacDonald: Thank you very much, Mr. Speaker. Bill 16, the Residential Tenancies Act, at third reading is, I think, in need of

further discussion, certainly from the correspondence by e-mail and also by fax that we on this side of the House have received. Last week it was noted by the Speaker in the Assembly that a large number of bills had passed in record time, but it was not the single-session record. This bill, I think, is a case of moving too far too fast in this Assembly. I will leave this at the discretion of the hon. Member for Grande Prairie-Wapiti, but I think this needs further discussion, and it almost warrants at this time a hoist amendment back to committee because some things may have been missed.

Now, the hon. Member for Edmonton-Mill Woods and myself have received an e-mail from a property manager from Cambridge Investments in Medicine Hat, and this is an alert in regard to the revisions of the Residential Tenancies Act, Mr. Speaker. This property manager has concern in regard to the cost, the new cost, of returning the security deposit and goes on to say:

Apparently delivery will now mean that it is delivered by personal service or by registered or certified mail. It is my opinion that this is an unnecessary addition to the Tenancies Act. This change would cost the landlord approximately \$6.50 per item returned along with the additional time and inconvenience caused and if anything this might have a negative effect on the timely return of security deposits to tenants. These costs will, in turn, be passed on to the tenant bringing about a small overall increase in rents and in an already stressed market this would not be good.

This is another example of the nickel and dime increases in cost to both the landlord and the tenant that are eating away at the fabric of our economy and slowly making it harder and harder for individuals to survive. It is happening in every sector of the economy – from a postage stamp to bank fees, a dollar here and a dollar there, and it is an increase usually done by a government or government related department/business from which there is no shelter. This forces us to cut back somewhere else in order to cover all the “fixed” costs that living in this day and age entails.

I would [encourage] you to reconsider this addition to the Residential Tenancies Act.

Now, I don't know how many rental units Cambridge Investments Ltd. would have in Medicine Hat or anywhere else in the province, but certainly at this time I think this Assembly should take notice of that. I don't recall – and I stand to be corrected, Mr. Speaker – any discussion of this matter in committee or at second reading, and I would like to know if this matter was brought up in the consultation process that occurred.

Also, in regard to the Residential Tenancies Act, Mr. Speaker, we have been contacted on this side of the House again by an individual from the Medicine Hat landlord association, and this group represents about 2,500 rental units in Medicine Hat. Now, I think we need to take this group's view before we go any further with this bill. This group has reviewed the proposed Bill 16, and they state this.

I am compelled to write and ask you to make some changes in the Committee of the Whole, before some big mistakes are made. While stake holders were consulted before the draft, none have been consulted or asked to review Bill 16 as presented in the Legislature. You need to ensure that this legislation is thoroughly reviewed before it becomes “bad” law. Here are a couple of serious problems that we have found after only a brief review. They will be very embarrassing for the government and damaging to the industry if Bill 16 is passed in the current form.

1. Section 29 of the new RTA (It was Section 26 in the current RTA) titled Termination for Substantial breach by tenant Subsection (4) A notice to terminate under this section is ineffective if before the termination date given in the notice, the tenant

- (a) pays all the rent as of the due date of the payment, if the alleged breach is a failure to pay rent, or
- (b) serves the landlord with a notice in writing objecting to the termination that sets out the tenant's reason for objecting.

Note: the current RTA finishes (4)b with “, if the alleged grounds is for other than failure to pay rent.”

4:40

This group goes on to say, Mr. Speaker:

The proposed Bill 16, the new RTA removes this very important clause. This is a fundamental and dangerous change. It has always been clearly stated that a tenant may not object to an eviction for non-payment of rent. Removing this clause in the new RTA, seems to indicate that a tenant may now file a notice of objection to a notice of termination for non-payment of rent. This represents a huge change in the philosophy of landlord tenant relationships. A landlord has always clearly had the right to receive the rent agreed to on the due date. This change seriously erodes that concept and this clause must be replaced in this section to confirm this principle.

2. Section 46 of the new RTA Bill 16 . . . titled Return of security deposit.

That's the end of the quote. This group also has concerns about the changes and the added cost to returning the security deposit.

[Mr. Shariff in the chair]

Mr. Speaker, I was of the impression that an extensive consultation process had gone on, but obviously that process missed out in the southeast corner of the province or somehow was overlooked. In light of this correspondence from this group – and it's a large group – I think that an explanation is due not only to hon. members of this Assembly but also to the people who have brought forward these concerns. If there is a reason why section 29 has been drafted in this manner, certainly I would appreciate an explanation from the hon. member in regard to this notice of objection which was sent to this member.

Now, until I get answers to these questions or an explanation as to why we're going ahead in this fashion, I at this time cannot support this bill. I would urge the hon. member that if there has been something overlooked, let's use the parliamentary technique of a hoist and place this bill back in Committee of the Whole and see if we can repair this legislation and make it suitable for everyone.

In conclusion, this group has reviewed these sections of the bill that I talked about and are concerned about what other improvements could be made. Now, there's no need speeding this through the Assembly, and I would urge caution to all members in regard to these matters that I have presented to the House. Let's contact these individuals and see what improvements can be made and what we can do to alleviate their concerns.

Thank you.

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

Ms Blakeman: Thanks very much, Mr. Speaker. Sometimes I assume things, and I shouldn't. I assumed something around something I read in this bill, and I suspect now that I shouldn't have. So here we are in third reading, in which I'm to be talking about the anticipated effect of the bill once it's passed, and I'm still raising some questions. I'm coming closer to agreeing with my colleague from Edmonton-Gold Bar that perhaps we should be recommitting this bill back to Committee of the Whole to deal with some of the issues that have been raised. But I would like an answer from the sponsoring member, and he is able to do that as he closes off debate in third reading, or barring that, perhaps he could send me a response in writing, which I would appreciate.

One of the new things that this bill is doing that was in fact offered up by the sponsoring Member for Grande Prairie-Wapiti when he introduced the bill is this whole alternative dispute resolution mechanism that is considered under section 70, Ministerial Regulations. Once again, all of these regulations being made by ministers behind closed doors, but I won't go into that debate. You can just

quietly repeat the one I did earlier today in your head but substitute Bill 16 instead of Bill 22.

What I'm more concerned about here is the assumption that I made. This is specific to section (k), and then there are a number of subclauses inside that, 10 of them actually, and it's "respecting the establishment of an alternative dispute resolution mechanism for the purpose of resolving disputes in respect of matters under this Act including, without limitation . . ." and on we go into the regulations.

Now, we have a system that's long been in place around landlord and tenant concerns, and if they are not resolvable given the various processes that are already available, people end up in small claims court, now called civil something. I'm sorry; I'm just not getting the words right. But often we have mediators involved in this process now, who are paid very badly, I might add. I think what happens is that first of all they have to prove themselves by working for free for 10 cases or something, and then they get paid \$50 for a two-hour mediation, and that has problems in itself. I'll come back to that, the two-hour mediation.

What I'm concerned about here is that, in fact, as I reread this section, it's not really talking about mediation or even a restorative justice model. It seems to be talking more about arbitration, and that's what I'm trying to check. If what's being anticipated here – and why would we move from a system where we've been able to bring in and use community mediators in a civil sense in what we used to call small claims court when there are landlord and tenant disputes, especially over money obviously? That system is working not too badly except the mediators are paid so badly. Why are we now anticipating putting in place an entirely different dispute resolution mechanism that seems much more focused on arbitration, not mediation? This could be a whole bunch of other money that's set up and, in fact, a whole quasi-judicial process being set up.

Now the Minister of Justice and Attorney General is looking unconcerned as I speak these words. I'm not really getting a reaction from the sponsor of the bill, but I'm wondering: why is this here? Perhaps it wasn't going to be used until many years in the future if the current mediation system and small claims court didn't work, I suppose. But I would like to know why it's here. When we look at a whole new system that could be quasi-judicial, that seems to be setting up essentially an arbitration process right down to the fees people are paid.

We start talking about how the members are going to be appointed to a dispute resolution body, the kinds of disputes that it can deal with, the proceedings before it, what matters it would consider when dealing with a dispute or a class of disputes, authorizing the dispute body to make rules governing its proceedings, respecting the kinds of orders that this dispute resolution body is authorized to make to resolve a dispute, and that includes making an order that a court would be authorized to make in the same circumstances.

This is what's starting to make me think quasi-judicial, Mr. Speaker: "Respecting the effect of an order of a dispute resolution body and how it may be enforced," again "including . . . regulations authorizing an order to be filed in a court." Hmm, sounding even more like a quasi-judicial process here.

So we're starting to sound more like the Labour Relations Board or possibly the Human Rights Commission, which are not inconsequential bodies and not an inconsequential budget to support them. Now, they're very effective in their own way and not one that I'm recommending getting rid of in any way, but that's not what was contemplated here.

We're down to things like "providing for the appeal of a decision of a dispute resolution body to the Court of Queen's Bench and governing the manner in which the appeal is to be taken."

4:50

Finally, governing the fees. Now, if you could manage to get the fees up to the Queen's Bench level, that would make me a bit happier. Let me talk about that a little bit here. You know, we've been very keen and this minister in particular has been very forward thinking in bringing in alternative methods of dealing with people's disputes and trying to get it out of the court system so it isn't so adversarial, especially with models like restorative justice, where we really are trying to say: everybody take responsibility for what you're doing, and work this out with trained people helping you.

My problem is that we're not adequately compensating the trained people that we're now putting in place around this. I know that we were looking for sort of cheaper ways of having things move through the court system or, alternatively, not move through the court system, but we really, really, really are underpaying these mediators. I think you have a whole body of experienced people out there that won't even bring themselves forward and offer themselves into, like, the civil mediation process because the pay is so bad that they just don't want to get themselves involved in lowering that standard to that level.

I think that has to be addressed on behalf of all of these different systems that we're now putting in place: restorative justice and mediation and, I suppose, even arbitration. We want to make sure that people are adequately paid. There's no point in setting up an alternative system from which eventually people withdraw because they're just paid so badly to do it. That doesn't get the government anywhere.

What kind of money are we saving here? Substantial money. When we talk about having a court and a judge and the lights on and CAPS officers in the hallways and all the rest of that, that's a significant amount of money. So it just seems really short-sighted – and I'm being polite there – in offering to pay, for example, the mediators in the civil system \$50 for a two-hour mediation. That in itself is saying: get the mediation settled in two hours. The mediation may not settle itself naturally in two hours, so once again you're forcing the process there that you don't need to be forcing. The mediators will happily invest more time in it to get to the resolution, but, for heaven's sake, don't put that kind of short time limit on it and really cheesy pay.

So I'm wondering why this whole process has been tacked onto the end, and I do want to hear from the sponsoring member about it because it's really causing me some concerns that we've now set up essentially a duplicate process that is a lot more expensive than what we have in place here even given an increase in the mediator fees that I'm advocating. Why are we doing this, and what's being anticipated here, and who would be expected to pay for it?

If this gets downloaded onto the municipalities again, I'm going to be right irate about it because right now the municipalities, for the most part, pay for the landlord and tenant advisory boards, that people make such use of. If this gets downloaded on them and they have to pick up the full freight on it, that's really unfair and not anticipated, by what I've heard in the discussion so far around this bill.

You know, there are lots of great possibilities in this bill – it's something that I think we all really wanted to see – and lots of great possibilities for making people's lives better. Maybe we have to see amending acts brought back again, but I would prefer not to. So maybe we do have to agree with Edmonton-Gold Bar and recommit the whole bill back to Committee of the Whole later and resolve some of these issues that have been raised.

I mean, these bills are progressing through the House at an astonishing rate, but we don't get participation from the government members, so we have no idea how the government members feel

about this. In fact, this concern came from southern Alberta, and it wasn't brought forward by one of the MLAs from there. So things are proceeding very quickly here, hardly giving people time to react. Maybe we do need to consider that recommit, but I'm interested in what the sponsoring member can answer.

Thank you.

The Acting Speaker: Standing Order 29. Any questions?

There being none, the hon. Member for Edmonton-Strathcona.

Dr. Pannu: Thank you, Mr. Speaker. I'd like to make brief comments on Bill 16 in its third and final reading. This bill is a sort of mixed bag. It has some changes that it makes, welcome changes which will certainly help both tenants and landlords in negotiating their relationships.

It provides certain protections, and those proposed changes are of course welcome, and I'll give a few examples here. It certainly gives greater clarity to the awards a court can provide when there's been a breach of the contract between a landlord and tenant. It also will require a longer period of advance notice for tenants when the rental property is being changed into a condominium. That certainly is very helpful.

In section 5 it provides some sort of protection for tenants who wish to make a complaint against a landlord either for reasons of concern that they may have about safety and security or public health concerns. Given that rental housing has been fairly scarce – the vacancy rates have been rather low in many urban areas in particular, big and small – this provision will reduce the concerns that Albertans have and the fearful sort of stance that they take when they have to make a decision about whether or not to lodge a complaint with respect to a landlord who's running a rental accommodation in ways which raise either concerns about the public health side of the issue or concerns with respect to the tenant's personal security and safety.

Those are some good features of the act, but there also are some problem areas in the legislation which are difficult to support. Section 19, for example, allows the landlord to provide only two options of times when an outgoing inspection for damages can be completed. If the tenant is not able to make either of these appointments, then the report will be completed by the landlord alone. This puts the tenant's security deposit at risk because they will not be present to challenge damage claims made by the landlord based on assessment in the absence of one of the two parties to the contract. So that remains a problem with the bill.

Again, under section 31 the landlord is given the power to dispose of property or goods that the landlord believes are abandoned and are worth less than a certain prescribed amount. However, the prescribed amount is not stated in the bill itself. It's left up to the regulations, and I feel very uncomfortable leaving these definitions, such as the prescribed amount, to regulations yet to be drawn up and to have no opportunity to examine what this prescribed amount is.

Similarly and related to this, a fair number of tenants, you know, who live in rental accommodations move fairly frequently, have to move away sometimes from where they live for reasons of work, may be away for a week, 10 days, and so on and so forth, and may not have many valuable possessions. Nevertheless, what they do have is very valuable to them because that's all they can afford. To put these goods, abandoned possessions, which are of great value to low-income tenants, in jeopardy by giving this power to the landlord to dispose of them, I think, is a step backwards. It doesn't give much comfort to tenants who already live on the edge in terms of their incomes and their work situations, and then they are put in a position where they worry about the security of their possessions which can be deemed abandoned for whatever reason.

5:00

What happens, for example, if a tenant gets hospitalized? If a single person gets hospitalized and is not able to communicate to the landlord about the reasons for her or his absence, I think this bill makes it easier for the landlord to label these possessions as abandoned and throw them in the trash or send them to an auction house or whatever. So that's not very good. People to whom it could happen are people who by definition are not likely to have the economic resources to replace the goods lost in this way or to fight for compensation through the courts.

So these are some of the relatively minor concerns that I have with the bill. The most important one is the one that the minister is seeking by way of this bill having to do with the authority to make regulations with respect to the alternative dispute resolution mechanism. As I said before in an earlier reading and debate on the bill, this bringing in of this alternative dispute resolution mechanism is an important step forward, yet how this is going to be implemented is simply beyond our ability to debate those arrangements because they're not outlined here. They'll be outlined by the minister in the privacy of his office or by the deputy minister who works for the minister, but it certainly will not be open for examination by this Assembly.

There's no explanation of how the alternative dispute resolution mechanism will be triggered, no indication of scope, no indication of timelines within the resolution process. There is no indication of the overall authority to run the system and no indication of who will oversee the process and by whom this oversight will be funded. Without some answers to these questions related to the most important element of what the bill is proposing to do, I think it's very difficult for the New Democratic opposition to simply write a blank cheque to the minister to go ahead and do what rightly should be done by this Assembly; that is, examine carefully the arrangements surrounding the alternative dispute resolution mechanism that will be put in place.

I regret to say, Mr. Speaker, that because of the problems that I've outlined and especially the concerns I've expressed about there being no details, no information about the alternative dispute resolution mechanism implementation, we will not be able to support the bill. Thank you.

The Acting Speaker: Standing Order 29?

Anybody else wish to speak on the bill? The hon. Member for Grande Prairie-Wapiti to close debate?

Mr. Graydon: No. Thanks.

[Motion carried; Bill 16 read a third time]

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

[Mr. Shariff in the chair]

The Deputy Chair: Hon. members, we'll call the committee to order.

**Bill 20
Minors' Property Act**

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

Ms Blakeman: Thanks very much. I'm actually pleased to be able to rise in Committee of Whole and say that I have heard nothing

further from the stakeholder groups that I've consulted with raising any concerns with the details of what's being contemplated with the Minors' Property Act.

Of course, this bill is not new, but there are some updates to it and a few new sections. I did go through them in a bit more detail yesterday when I spoke in principle in support of the bill in second reading. The bill needs to be considered with its companion bill, the Public Trustee Act, which is also being updated and a number of sections changed for clarification. But at this point I've heard no additional concerns raised, and I don't have any additional concerns from my reading of the bill, so I'm happy to support the bill in Committee of the Whole.

[The clauses of Bill 20 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Deputy Chair: Opposed? Carried.
The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. I'd move that the committee rise and report Bill 20.

[Motion carried]

[Mr. Shariff in the chair]

Mr. VanderBurg: Mr. Speaker, the Committee of the Whole has had under consideration and reports Bill 20.

The Acting Speaker: Does the Assembly concur in the report?

Hon. Members: Agreed.

The Acting Speaker: Opposed? So ordered.
The hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Speaker. I move that we adjourn until 8 p.m., at which time we'll reconvene in Committee of Supply.

[Motion carried; the Assembly adjourned at 5:08 p.m.]

