

Legislative Assembly of Alberta

Title: **Wednesday, May 11, 2005** **8:00 p.m.**

Date: 05/05/11

head: **Committee of Supply**

[Mr. Shariff in the chair]

The Deputy Chair: Hon. members, we'll call the committee to order. When we adjourned, there were eight minutes left for Health and Wellness. Just for your information we will finish those eight minutes and then rise and report and then reconvene in committee for the next business.

head: **Main Estimates 2005-06**

Health and Wellness

The Deputy Chair: The Minister of Finance is representing the Minister of Health and Wellness tonight. The hon. minister.

Mrs. McClellan: Thank you, Mr. Chairman. I'm tempted to go on with my story about the long-term care and assisted-living facility where there is a couple that is over 100 residing, but I will do that during our debate in the appropriations and leave the eight minutes that are left for some more questions to be put on the table.

I did want to answer, on behalf of the minister of health, just two questions. It was asked why the '05-06 budget for the rural physician action plan was not increased, and indeed it wasn't increased. It is currently meeting demands, and it will be assessed again this year, and if necessary, a request for more funding will be there.

On telehealth the minister advised that she will advise you in writing. There were two pilots done on telehealth. The first one was actually in Drumheller with Calgary, and the second one was in the Two Hills area, but she felt it would be most helpful to you if she were to give you that information in a more complete form, in writing.

With that, I have given the minister the assurance that I will write down your questions, and she'll review *Hansard* and give the information in writing.

Ms Blakeman: Thank you very much for the responses from the minister of health through the Minister of Finance.

There were a couple of other issues that I wanted to raise. Earlier I kept looking for an e-mail on podiatry that I couldn't find, which I did locate. It's from Dr. Ken Unger, who is the head of the hospital section, Peter Lougheed centre, and a clinical lecturer in the department of surgery at the University of Calgary Faculty of Medicine. We had a conversation, in fact, at the innovations Health Symposium about podiatry and the coverage of services. As I put it to him: are you medically necessary, and if you are, why are you not covered?

He sent me an e-mail, and I'm just going to quote a paragraph from the centre of it. He was

called to the emergency room of a Calgary hospital . . . to see a diabetic with a foot ulcer with exposed bone and infection requiring admission and surgical treatment [in particular] (amputation). This patient has already had a below knee amputation of the other limb, amputation of two toes on the remaining infected foot and is known to have peripheral vascular disease and neuropathy. His diabetic control is questionable.

He goes on to describe how he was treated and in fact that the individual was not charged for the services that he received and that he felt that was demonstrating podiatry's commitment to hospital and emergency patients.

He raises the issue that coming out of this "symposium discussions were [on] prevention, appropriate care performed by appropriate providers [for] (efficiency) and quality." He raises the questions, you know: were any of these achieved for this at-risk diabetic patient, and is the above scenario preventable? I think he raises a good point there. Would we be better off investing in those kinds of prevention in tandem with chronic disease management to save us from having that kind of an individual, who for whatever reason will not manage his own disease, turning up in acute care. So that was the issue I was trying to locate and raise, and I'm glad I was able to do that.

Just to finish on e-health again, I'm glad to hear that there is information available from the two pilots, one in Drumheller and one in Two Hills, I think I heard the minister saying. The issue that came up was around being very careful that we have the suitable technology and programming for electronic health delivery and that it is compatible. What we were warned about at this symposium was developing a system helter-skelter that, in fact, was not capable of talking to one another. We need to have a larger plan coming, laying that plan and everybody fitting into it.

I think that point is well made, and it's a point that's been raised by the Leader of the Official Opposition in the past. Are we spending an awful lot of money and ending up with a system that doesn't work and doesn't do what we want it to do? It cannot work on both of those levels. It doesn't give us what we were expecting it to give us by way of health service delivery, and it's incompatible. The system itself doesn't work. So two things to watch for there.

The final issue is around electronic health records. This is both an incredible opportunity and a real place of caution. Incredible opportunity because it should be allowing us to get rid of some of the duplication and inefficiency and flat-out frustration that we experience as health providers try and figure out how to help a patient who presents in front of them – to not be able to access all the information that's available on this person's medical condition can prevent appropriate timely treatment of the individual – and, I would hope, be able to save us some money around moving test results back and forth, for example, and that sort of thing.

The balancing side of that is around people's personal privacy, and part of what is not quite in the loop on this – and I think we need to be particularly careful – is around the electronic medical records. Think of them as the file that's in the doctor's office, which actually has, you know, a lot of personal notes and a lot of personal information on you. What's supposed to come out of that is that the strictly diagnostic and laboratory testing information is supposed to be lifted off the electronic medical records up into the electronic health record. That's the information that's available to those who are allowed access to that system.

We had stage 1 of the Health Information Act review. We started on it at this time last year, and it reported by the fall – in a rush, I must say – prior to the election being called. The committee did not complete most of what it was charged to do. A lot of it was put off to a second committee, which has yet to be called, and I think we need to get on that as quickly as possible. There are a lot of questions that are undecided and in some cases undefined around both of those areas, and we need to proceed carefully and with a plan on those electronic health records. Again, great opportunity for both exciting changes in delivery of health but also great opportunity for breaching people's personal privacy.

With those closing words, I look forward to the information from the minister. In particular I'm looking for compatibility and suitability of the technology as well. Thank you very much.

Mrs. McClellan: Certainly, on the suitable technology I actually

have witnessed this technology, and it's quite amazing. But you're absolutely right: you want to make sure that the providers are educated or well versed in it.

The Deputy Chair: I hesitate to interrupt the hon. Minister of Finance, who is speaking on behalf of the Minister for Health and Wellness, but pursuant to Standing Order 58(4), which provides for not less than two hours of consideration for a department's proposed estimates, I must now put the question after considering the business plan and proposed estimates for the Department of Health and Wellness for the fiscal year ending March 31, 2006.

Agreed to:

Expense and Equipment/Inventory Purchases	\$8,973,425,000
Capital Investment	\$33,500,000

The Deputy Chair: Shall the vote 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 move that the committee rise and report the estimates of the Department of Health and Wellness and beg leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

8:10

Mr. Mitzel: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2006, for the following department.

Health and Wellness: expense and equipment/inventory purchases, \$8,973,425,000; capital investment, \$33,500,000.

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

Hon. Members: Agreed.

The Acting Speaker: Opposed? So ordered.

head: **Committee of Supply**
(continued)

[Mr. Shariff in the chair]

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

head: **Main Estimates 2005-06**
Community Development

The Deputy Chair: As per our standing order the first hour is dedicated between the minister and members of the opposition, following which any other member, including members of the executive, if they so choose to participate, will be allowed to do so.

The hon. Minister for Community Development.

Mr. Mar: Mr. Chairman, I have learned from my friend and colleague the Minister of Health and Wellness, who presented her estimates this afternoon and has provided a good precedent, I believe. I will make my comments reasonably short and give ample opportunity for members of the Assembly to ask questions; after which, my undertaking will be to review *Hansard* and provide a written response to those questions.

I'm pleased, Mr. Chairman, to present the estimates for Community Development for the year 2005-2006. The operating budget of \$247 million is \$41 million or 20 per cent higher than the previous year, but with Alberta celebrating our centennial this year, much of this increase, \$23 million, is one-time funding for the centennial legacy projects and celebrations.

Community Development has three core businesses: support community development, protect and include all Albertans, and protect our human and natural history and culture. These three core businesses add up to one purpose: achieving a high quality of life in the province of Alberta.

Within our annual budget this ministry leverages billions of dollars for our economy through tourism, the arts, volunteerism, sports, recreation, and more. It supports lifelong learning through our public libraries, museums, and historic sites; manages our park areas that help keep people healthy and rural economies strong; protects human rights through education and adjudication; provides community volunteers with support that make the most of every donated hour. All of these factors, Mr. Chairman, add up to a quality of life environment that builds pride in our province and its people and that makes Alberta a better place to live, work, and visit.

Our foundations and agencies support 260 community-based museums, more than 600 arts groups, and 107 provincial sport and recreation organizations that have a total of 1.2 million members and tens of thousands of volunteers, who donate 449 million hours a year to their communities. We provide support to 310 library service points in the province that loan over 30 million items a year to Albertans, and we pay for their monthly SuperNet fees that connect Albertans to a world of information.

In addition, Mr. Chairman, to this ministry's operating needs this budget also details a capital investment of \$45 million this year alone, four times more than the forecast, primarily to improve facilities in our parks.

This budget supports the celebrations and legacy projects that celebrate our centennial year. However, our centennial commitments are in addition to and not at the cost of the quality of life programs that Albertans rely upon. Those quality of life programs are maintained, and some services are even improved.

In short, maintain, improve, and celebrate sums up the focus for this Community Development budget.

With this year's increase we are maintaining the ministry's core programs to ensure access to quality of life resources, improve park facilities and museum exhibits for better visitor experiences, and celebrate Alberta's centennial with legacy construction and provincial festivities.

The first theme in my ministry's budget this year is maintain. An \$8 million increase in core funding maintains the ministry's essential core services: supporting the arts and our heritage, sport and recreation, human rights and citizenship, libraries and volunteerism, and parks and our protected areas.

Within this budget more than \$1 million of that increase goes to our libraries to match population growth and pay for monthly SuperNet connection costs. Libraries will receive a total just under \$20 million this year, the exact sum being some \$19.9 million.

Provincial museums and historic sites get \$3 million more to support operations and exhibit redevelopment.

Parks receive an increase of \$4 million for ongoing maintenance, educational and outdoor recreation programs.

We are maintaining the \$2.5 million in one-time funding to the Alberta film development program last year by annualizing this amount. However, despite the \$2.5 million increase over last year's budget, this amount does not appear as an increase compared to the forecast.

In this budget my ministry assumes responsibility for reporting on the operations of the Jubilee auditoria in Calgary and Edmonton as recommended by the Auditor General. This may result in the province recording additional revenues and expenses of \$3 million.

Finally, Mr. Chairman, \$3 million is added to the final year of the Alberta NHL teams initiative. The funding to support the two Alberta-based franchises comes from taxes on NHL players' salaries for games played in the province of Alberta. This budget anticipates that there will be an NHL season this year.

Funding for the arts and for sport and recreation remains stable, which means that they did not get a direct budget increase this year. That does not mean that these important quality of life sectors are forgotten because both benefit significantly from spending in other areas.

Centennial initiatives like Alberta Scene in Ottawa, the Queen's visit and the celebration performance at Commonwealth Stadium, the cultural celebrations around the province's birthday party in September, and especially the renewed Jubilee auditoria are all major boosts to the arts. Sport and recreation benefit directly from investment in the Canmore Nordic Centre, centennial legacy funding for community recreation centres, and increases for parks. This is where Albertans work, live, and play. This is our evenings, our weekends, our family times, and our sporting events. Centennial sporting events like the World Masters Games and the centennial World Cup in cross-country skiing put Alberta and Alberta talent on the world sporting stage.

Sport and recreation brings me to the second theme of this budget, which is to improve. The Alberta government and my ministry are determined to improve the infrastructure for our parks, museums, and historic sites. Alberta's parks are in the backyard of every constituency in this province. There is a provincial park or protected area within 100 kilometres of every Alberta resident, and Albertans use them, making 7.5 million visits to their provincial parks. Another 1 million visits come from outside of the province.

This budget quadruples our capital investment in parks from about \$11 million to \$45 million. Of this, \$25 million pays for previous commitments: \$13 million continues the upgrades to the Canmore Nordic Centre for the centennial World Cup in cross-country skiing and as a legacy resource for future winter athletics, \$10 million continues the upgrading of water and sewage treatment facilities as part of the government's Water for Life strategy, and \$2 million is in the existing budget for ongoing parks maintenance.

Twenty million dollars in new funding will be used to build four new parks interpretive centres as centennial legacy projects in Writing-on-Stone, Lesser Slave Lake, Dinosaur provincial park, Cypress Hills interprovincial park, and for ongoing and deferred parks maintenance. Included in that money is almost \$8 million as the first instalment in a three-year plan worth \$47 million to repair and rebuild aging parks facilities. In addition to enhancing the parks experience, this investment protects facilities with an estimated replacement value of \$437 million.

8:20

Another area for improvement is updating exhibits in our museum and heritage attractions. These exhibits keep us in touch with who

we are and what we are as a people and as a province. They celebrate our past and contribute to our future by supporting education and tourism. Renewing what will soon be the Royal Alberta Museum is a flagship project to honour our centennial. The Alberta government's \$150 million commitment will be funded through Infrastructure and Transportation over the next five years.

The four park interpretive centres and the Royal Alberta Museum bring me to the third budget theme: celebrate. The province's inauguration in 1905 was a one-day event. However, we are marking our centennial with seven years of legacy construction and a year of celebration. Recognition programs, like the centennial medal and the sport and recreation centennial scroll, honour our past. Special centennial birth and marriage certificates, a centennial medallion, a royal visit, and special festivities will mark our present. The centennial education savings plan and legacy construction will build for our future.

To the end of the current 2005-2008 business plan the Alberta government's total commitment to centennial legacy projects and celebrations is \$343 million since 2000-2001. This year the commitment is \$40 million in legacy and celebratory initiatives. That is an increase of \$23 million over forecast. Thirty million dollars will honour approved grants for community-owned and -operated legacy projects like halls, recreation centres, libraries, and parks. Ten million dollars is for provincial festivities like the Queen's visit, the spectacular Commonwealth Stadium show to kick off the 100-day countdown to the province's birthday, and the official birthday celebrations actually on September 1.

The September 1 party is expected to include gala concerts, a re-enactment of the province's inauguration, and the grandest fireworks display in 100 years. Government is leading provincial events and recognition programs, while communities, municipalities, and institutions are leading local and special-interest celebration events.

Among the last centennial celebrations of the year, this December Alberta welcomes international athletes and fans to the centennial World Cup in cross-country skiing at the rebuilt Canmore Nordic Centre.

Mr. Chairman, rural Alberta is a major beneficiary in this budget. More than half of the province's public libraries are in communities with fewer than 1,200 people. Parks tourism adds \$1.3 billion a year to our economy, much of it spent in rural centres on gas, food, and lodging, not counting secondary spending on camping, fishing, and outdoor recreation goods and services. Rural communities like Lac La Biche actively promote themselves as gateways to Alberta's parks.

Centennial legacy funding is building libraries, recreation centres, community halls, and parks in small municipalities across the province. Support for our quality of life is inclusive across municipal and county boundaries.

Members of the Legislature, I ask you to approve the estimates for Community Development for 2005-2006. I ask for your support for this budget and its vision to maintain our core businesses, improve our parks and museum infrastructure, and celebrate our centennial. This budget helps us end our first century with a strong foundation for quality of life and a celebration of the past. It also lets us start our second century with confidence and from a position of strength.

Thank you, Mr. Chairman.

The Deputy Chair: Hon. members, before I recognize the Member for Edmonton-Ellerslie, may we briefly revert to Introduction of Guests?

[Unanimous consent granted]

head: **Introduction of Guests**

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

Mr. Magnus: Thank you, Mr. Chairman. It gives me great pleasure tonight to be able to introduce to you and through you a gentleman and a good friend of this Legislature, a nonpartisan good friend of this Legislature. He is, indeed, the Clerk of the Legislature. It was a little bit of a surprise tonight to see him in the members' gallery, but I would ask that David McNeil and his two friends stand so that we can give them the warm recognition that we honour our guests with.

Thank you so much.

The Deputy Chair: The hon. Member for Edmonton-Ellerslie.

head: **Main Estimates 2005-06**

Community Development (*continued*)

Mr. Agnihotri: Thank you, Mr. Chairman. It's my great pleasure to rise and participate in the budget estimates this evening for the Ministry of Community Development and to discuss a range of issues. I want to thank the hon. minister for presenting a good overview of Budget 2005 in regard to the Ministry of Community Development, and I also thank all your staff for their great effort and hard work.

Mr. Minister, you already answered some of my questions which I had written, but there are still some more to go. I know that it's not easy to answer all of them and address them all in 20 minutes or so, but I would really appreciate it if you'd provide me with details in writing as soon as possible, as you always do. I commend you for that.

Allow me to start with the business plan. Under Core Business One on page 165 it states that the department will work "with organizations and communities to strengthen their capacity to enhance and further develop the areas of arts and culture, sport and recreation . . . by providing financial support." Why, then, has the Liberal opposition heard from many stakeholders in the arts, the film community, and from organizations like the Edmonton Sport Council that they are in dire need of increased funding in order to stay afloat? If the minister is working with these organizations, then why are so many of them begging this government for more support, like the film industry and the artistic community?

For years and years these organizations have been asking for a substantial increase in funding to support them. In fact, it has been estimated that the arts contribute approximately \$150 million annually to the economy of this province. These contributions are not in question, but they are still massively underfunded by this government. When will this government place a priority on increasing funding for the Alberta Foundation for the Arts much more substantially?

The next is under Core Business One on page 165. The government states that it is "participating in the Active Living Strategy and affirming the actions of the Alberta Sport Plan." Also, strategy 1.7 of the business plan on the same page, 165, states that the ministry will "collaborate with communities to promote healthy recreational and active living activities and to encourage the preservation and public use of . . . community recreation areas." Why, then, are stakeholders involved in sports and recreation saying that they are waiting in vain for the implementation and funding of the Alberta sport plan?

Questions from a major stakeholder group. The Edmonton Sport Council's spring newsletter 2005 states:

Are the Minister and the government of Alberta willing to go further

and make active living a priority for the province? . . . Will they make it a priority by recognizing that we must go beyond social marketing campaigns to significantly . . . expand the grant programs for [community recreational programs and] community recreational facility (re)development across the province?

These are direct questions from the affected stakeholders. How will the minister implement strategy 1.7?

The next one that I'm looking at in the business plan is on page 165 again. Strategy 1.9 speaks to showcasing Alberta talent and recognizing "the contribution of Albertans at special events held to mark Alberta's Centennial." Can the minister inform us if there are any plans to hold an Alberta celebration of the arts similar to the Alberta Scene celebration currently being held in Ottawa? If not, why?

8:30

What other major events are being planned to showcase the contributions of Alberta artists this year? Can the minister tell us how much funding is being directed at showcasing Alberta's artists in this centennial year?

Next, on page 166 of the business plan strategy 2.1 states very clearly that the ministry will "continue protecting human rights by resolving and adjudicating complaints of alleged discrimination." There are some serious questions concerning this. The opposition has talked to many individuals who have had to endure four to five years' wait to have their complaints dealt with. One particular individual stated that he was extremely concerned that it took nearly four years to resolve his case. He stated to us that there are long waiting times for each stage of the complaint process, which is assumed to be because of underfunding at the commission, and long delays as the respondents failed time and again to meet deadlines set by the commission's staff, who were apparently powerless to force action by respondents.

Will the minister explain if he's planning to take action to reduce waiting times and increase the ability of the Human Rights Commission to quickly resolve complaints? Are there any plans to increase the number of staff at the Human Rights Commission to achieve the objectives of a quicker and more efficient resolution of complaints? Will the minister be looking at a way of empowering the Human Rights Commission, perhaps in consultation with the Ministry of Justice, to compel respondents to meet deadlines set by the commission?

I'm sure the hon. minister would agree that making this system more efficient would provide an important signal that human rights complaints are indeed serious and that stronger human rights protection against discrimination is in the best interest of all Albertans.

My next question. Page 168 speaks to providing "financial support to community owned and operated Centennial Legacy Projects across Alberta" to leave a legacy for future generations. As well, strategy 3.9 speaks to the centennial legacy projects providing educational opportunities and increasing tourism. Reference is made specifically to the Provincial Museum of Alberta and renovation of the Jubilee auditoria in Edmonton and Calgary.

There need to be some questions asked around these projects. Many concerns have been raised that most of the funding for the centennial year has gone into building projects and rehabilitating existing facilities and not enough into actual celebration events like the Alberta Scene in Ottawa. Can the minister inform us if most of the funding has gone into bricks-and-mortar projects such as building recreational facilities and providing funding for already needed infrastructure projects? Can the minister provide us with a breakdown of how much of the funding has gone into infrastructure projects and how much has been spent on activities, festivals, and celebrations of Alberta's centennial?

I have a financial question. I start from page 94. It's about the Alberta Foundation for the Arts. Page 94 of the estimates for 2005-2006 states that the budget for the Alberta Foundation for the Arts has increased to \$32.5 million, an increase of \$2.5 million from last year. Stakeholders have indicated that funding for the arts from government is lacking and fails to provide the support for the arts that is truly needed to have a flourishing community. Other stakeholders, the Works, have indicated that funding from the provincial government through the Alberta Foundation for the Arts is one-third less than funding received from the city of Edmonton and the federal government. The point here – and it's agreed upon by so many stakeholders – is: why does the Alberta provincial government consistently fail to support the arts when municipal and federal governments recognize the importance of the arts? Can the minister explain to these artists why they are always underfunded?

Page 94 of the expenses shows an increase in expenditure for the film development of \$2.5 million. While the increase is welcomed by the producers and stakeholders, Blue Sky Communication Inc. are wondering why there can't be more of an increase. The Alberta producers have indicated that unless there is a serious infusion of cash, such as \$10 million, producers will be leaving the province and taking their experience and other jobs with them. Does the minister have any plans to increase the funding for film development in the near future?

Page 94 of the estimates shows that funding for arts promotion has stayed the same as last year, as the minister indicated just now, at \$12.7 million. Can the minister tell us why there was not an increase here similar to the increase that film developers received?

The next question is on human rights and citizenship. On page 85 of the estimates reference line 3.0.1 shows a slight increase of just over \$200,000 to the budget for human rights and citizenship. Can the minister explain why more of a priority was not given to increasing funding here given the importance of protecting human rights in Alberta? Can the minister tell us if he plans on increasing the budget or the staff of the Human Rights Commission in the near future? Can the minister explain how this mechanism can be effective in resolving disputes if more money is not allocated to this important resource?

Next comes library funding. Line 2.2.2 of the estimates on page 84 shows an increase in library funding grants to \$19.9 million, up \$1.2 million from last year. Stakeholders for the library funding have some serious concerns about the grants received from the government. Library grants are calculated at a rate of \$4.29 per capita right now. Stakeholders want to see this figure doubled. This funding formula is insufficient to meet the increased demands on the library services and budgets that exist in 2005.

Municipalities tend to shoulder the increased cost of library services. For example, Edmonton contributed \$20.9 million last year, while the province contributed \$2.8 million. There should be a more equitable distribution of funding for library services that does not place such an undue burden on municipalities. Mr. Chairman, what will this minister do to take the financial burden of libraries from municipalities? Will there be more of a commitment from the ministry to provide additional funding for library services? Remember, these are the questions that stakeholders are asking and want answers to.

A question on the Wild Rose Foundation. Line 2.2.7 indicates \$7.7 million to the Wild Rose Foundation. This is the same as last year. Can the minister provide a breakdown of where this money is being distributed? Can he provide us with a detailed financial audit? Can the minister explain what the process is to receive funding through the Wild Rose Foundation? Also, please tell us if there were any investigations or irregularities in the distribution of funds through the Wild Rose Foundation.

8:40

A question on full-time employment, page 101 of the estimates. Under full-time employment it indicates that there will be an increase of 36 people, from 881 last year to 917 this year. Can the minister explain what these new employees are assigned to? Are any of them going to be working for the Human Rights Commission?

I have a few questions on the Auditor General's report, which points out that the

reports on the financial statements of the Ministry and the Historic Resources Fund contain a reservation of opinion because the financial statements depart from Canadian generally accepted accounting principles.

The Ministry has not included the net revenues and surpluses for the cultural facilities that are operated with the assistance of volunteer societies in its financial statements.

The AG estimates that

for the year ended March 31, 2004, the Ministry's net revenues and net assets are understated by \$0.9 and \$10.0 million respectively . . .

At present, the Ministry does not include revenues, expenses, and surpluses for the operation of the [two Jubilee auditoria].

The Auditor General reports that the ministry is developing an action plan to deal with this. Where is the ministry at in implementing this action plan?

The Historic Resources Fund has not properly recorded the revenues, expenses and surpluses generated by the operation of government-owned facilities in its financial statements. As a result, [the Auditor General estimates] that for 2004, the Fund's liabilities are overstated by \$216,000, assets are understated by \$109,000 and fund balance is understated by \$325,000.

What is the ministry doing to correct these accounting problems as indicated by the Auditor General's report? Why is the ministry not following Canadian generally accepted accounting principles?

These are the questions. I would request the hon. minister to answer today, or maybe he can give them to me in writing when it's convenient for him. Thank you very much.

The Deputy Chair: The hon. minister.

Mr. Mar: Thank you, Mr. Chairman. I will, as I indicated at the outset, review *Hansard* and provide a more detailed set of answers to all the questions asked by the Member for Edmonton-Ellerslie, which I listened to very carefully.

First of all, let me say thank you for giving credit to the staff of the department, some of whom are in the gallery with us this evening. They do fine work. I've had the benefit now of being the Minister of Community Development twice. There are many, many fine people that worked with me some 12 years ago who are working with me again, and I can tell you that this is a group of people that are very committed to their jobs, very committed to all the elements of the programs that are set out in the business plan and the budget of the Department of Community Development.

Let me say as an overall response to the Member for Edmonton-Ellerslie that I appreciated the passion with which he spoke on the subject of things like support for the arts, for culture, for recreation – he mentioned the provincial sport plan – libraries. He also mentioned funding for the Wild Rose Foundation and Human Rights Commission.

I will answer in a very broad way by saying first of all that there has been a significant increase in the budget to the Department of Community Development, and we could have allocated money to each and every one of those areas, but that would be like saying that we don't have any priorities. The reality is, Mr. Chairman, that to have 50 priorities is to have none at all. In looking at many of the

things that this department is responsible for, we need to be able to allocate our resources to those areas that have the greatest needs.

Mr. Chairman, we did, for example, put significant monies into the areas of parks, and when the hon. member asked about the active living strategy, part and parcel with the active living strategy is that you actually do have parks and recreational facilities in communities throughout this province that are up to code and up to date and are funded in such a way that allows them to be restored to the kind of condition that they need to be in. I did indicate that over a significant number of years we have allocated some almost \$350 million in monies to upgrade facilities and libraries and parks and recreational facilities throughout Alberta, and this is all part and parcel with making an active living strategy work.

I acknowledge that there are people from the arts community or perhaps the film community who would suggest that we should be doing more, and I can assure this House and this hon. member that there would be nothing that would make me feel more joyous than to be able to say to all of them, "All of you are an important part of the province of Alberta whether you represent the communities of human rights, or the sports community, the recreation community, the library community, the arts community," all of which were mentioned by the hon. member. Nothing would make me more joyous than to be able to say, "We will double all of your funding."

But that is not our reality. Our reality is that we do pick priorities and that we support them as best we can. That's not to say that this government doesn't acknowledge the importance of, for example, the arts. The hon. member himself cited numbers about the kind of economic development and economic activity that comes to this province as a result of a fantastic arts community that we have in this province, one that we should be very, very proud of.

So I'm well aware of those issues. They've certainly been brought to my attention, and perhaps all I can say to the hon. member and members of this Assembly is that I will continue to be an advocate for these groups and that now that we've dealt with much of the concern established in the parks area, we're able to restore these important signatures of our province back to the kind of condition that they should be in, that in future budget cycles we might be able to deal more specifically with some of the priorities that the hon. member mentioned.

Mr. Chairman, I'll just conclude with two last comments that were much more specific questions asked by the hon. member, and that is with respect to the increase of 36 FTEs to the department. I can advise the hon. member that they are all direct service delivery positions that will be noticed by the public. Twelve of them deal specifically with positions as it relates to centennial festivities that will be going on in the province, and the balance will be to the best of my recollection employed in areas of parks and historical resources. So these will provide direct services to the public, that they should notice.

We have, as I indicated, Mr. Chairman, in the outset of my comments, taken the Auditor General's comments and acted upon them as it relates to the Jubilee auditoria, and they will be a part of the consolidated financial statements of the Department of Community Development.

8:50

Perhaps, Mr. Chairman, I'll finish with this last piece, and that is Alberta Scene. For those who have been in Ottawa in the last two weeks and for those that have seen the media reports coming back from that city, you will all know that Alberta Scene was a tremendous success in Ottawa, with some 600 Alberta artists participating in about 20 different venues and participating in almost 100 different performances in Ottawa. This is a great credit to the strength of the arts community in the province of Alberta.

I can advise the hon. member that a number of the artists who were part of Alberta Scene will be participating in the celebration events at Commonwealth Stadium later on in the month of May in celebration of the arrival and the visit of Her Majesty the Queen. So there are elements of Alberta Scene that will be brought back to Alberta at that venue, and there are ongoing discussions with the National Arts Centre as to whether or not we might be able to tour some of the Alberta Scene artists throughout the province of Alberta at some later juncture in the centennial year.

Mr. Chairman, again, any omissions or errors that I've made I will correct by way of a written response to the hon. member, and I thank him for his thoughtful questions.

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

Ms Blakeman: Thanks very much, Mr. Chairman. A couple of topics that I'd like to cover here, but the first is to ask the minister if it's possible that in the – how's it being titled now? – off-budget spending . . . It's like off-track betting. It's already happening. The budget isn't passed, and we're already getting announcements from various ministers saying: just wait until we've got some extra money there, and we'll throw it your way. All kinds of nice promises are coming.

So I'm hoping that we're going to get a nice promise out of this minister around the Edmonton Art Gallery. The minister is no doubt aware that there has now been a commitment from the federal government. There has been a significant commitment from a private donor – that is, the local philanthropists John and Barbara Poole – to launch the individual fundraising campaign in support of a new Edmonton Art Gallery. I was at the art gallery last night, and I looked at the poster. There we're talking about the competition to choose the new architects, and it's listing, you know, who's on board for the money. Nothing from the province. Totally blank where it says: provincial government.

You know, this is really our Alberta art gallery because the Glenbow art gallery is a very, very fine facility, but it has not chosen to collect work in the same way. Actually, in my head it's more of a museum, and that may not be fair. But, really, when we're looking at developing a collection and displaying a collection, the largest institution that we have in Alberta is the Edmonton Art Gallery. I think it could easily be renamed the Alberta art gallery, actually, for the work that it does to showcase to Albertans work of quality and interest both from across the world but also our own Alberta artists.

I would really like to see the province do something befitting our centennial in supporting the Edmonton Art Gallery, and I'm encouraging the minister to engage in – I can't believe I'm saying this. It's not in the budget, or if it is, it's not detailed in the budget, so the minister will have to tell me. If it's in the budget, then where is it, and how much money is being committed? I'm assuming that there would have been a big showy announcement about it, so I suspect it's not in there. What plans, exactly, does the province have to support the Edmonton Art Gallery? You know, I think that's really important, and I would like to see a sincere commitment from the provincial government.

You know, we hear a lot of fine talk from the government and, frankly, a lot of credit taken on behalf of the arts community, and I'm just not seeing the reality of it. I'm kind of choking back my outrage, to be honest with you, Mr. Chairman, when I hear things like the minister touting Alberta Scene. What happened there is that 600 of our best artists and really interesting work and a variety of work from emerging artists to experienced artists – this government didn't even put up enough money for return airfare to Ottawa. Our artists went off to Ottawa, and we hardly even paid for their return

airfare. Yet all kinds of credit has been taken. To listen to the minister and the previous minister, they were responsible for the whole idea. That's not true at all. The National Arts Centre: it was their idea. They'd done one featuring the Maritimes the previous year. Alberta's number came up. It was, happily, in conjunction with our anniversary.

I just have a hard time buying this. We're now hearing from this minister, "Well, you know, we had to prioritize where we're giving increases," and we keep hearing from this government, "Yeah, we believe in the arts." I even get it quoted back at me, the amount of money that can be leveraged for investment in the arts, and we are still sitting at more or less the same budget as when I was elected here nine years ago. That was a \$16.1 million budget. We've had a whole \$5 million more go into that fund.

Now, overall, bottom line on this budget: absolutely, we've had more money come in; we've had more money go out. But you know what? We've had more programs come in and more programs go out, and with that the overall bottom line on this ministry has gone up and down. But how much money is going to the arts? Wow: \$20.21 million. We need that budget to go to \$40 million without delay. This province is awash in money, and choices are made, and priorities are made. Absolutely right, Mr. Minister. But I don't see them being made in support of this particular sector. I see the government taking a lot of credit for it, but I don't see the actual support coming.

So, yeah, I'm choking it back right now, and especially when I hear that kind of thing happen. I mean, at the 75th anniversary of this province we had an investment in fun for people and engagement of activity that has given us 25 years later all of those things that turn up on the big murals at the airports and in the kiosks for Alberta tourism that everybody likes to look at. That's things like the folk festival and the Fringe festival and the street performers' festival and the heritage days festival, even Jazz City, poor thing. From that, we've also had festivals that came as a result of and flowed from the investment 25 years ago. Things like the Works and the comedy festival, which also came and went, and some of the other great opportunities that we see in this city.

That's why we're looking at 25-year anniversaries of those festivals, because there was actually incentive. There was actually attention paid and money put into that sector 25 years ago, and, boy, did it pay off. It pays off so much that this provincial government likes to splash it all over billboards and use it in their advertising without actually supporting the sector from whence it came.

So, yes, I'm frustrated. You know, I look at the list of centennial projects that the minister was kind enough to supply me with, and I say: are you honestly telling me that those projects would not have happened? You would not have put money into the Jubilee Auditorium, when it needed this fixing, had it not been – you know, you had to wait for the centennial to do it. Is the minister actually telling me that the Londonderry Fitness and Leisure Centre would not have received the necessary funds?

So, I mean, this whole thing about, "Oh, haven't we done a wonderful thing here with the centennial projects?" I'm finding it kind of hard to choke down. I mean, you used money from the centennial as a way of doing regular, scheduled maintenance here. You know, yes, the Louise McKinney riverfront . . . [some applause] Oh, I got support here.

9:00

A few new things have happened, and I'll give you credit for that. The Louise McKinney riverfront park: there's money going into that. But upgrading the programming space and reconfiguring the main entrance and reception area of the Muttart Conservatory: that's

a centennial project? Public multi-use facilities at the Northgate Lions Senior Citizens' Recreation Centre: that's much needed. I'm in that centre on a regular basis, and I can tell you that it's much needed. But a centennial project? This is regular maintenance. So, you know, dressing it up with a feather boa and a few sparkles and calling it a centennial project is insulting, frankly. You've got to come through with this money at some point.

You know, I've heard every minister here for nine years get up and go: "Oh, yes. Boy, do we ever love the arts. We support the arts, absolutely." Well, where's the support? Where's the money? When is the priority going to be the arts and cultural sector? When? Nine years I've listened to this, and I've listened to the same story. When is it going to be a priority?

Let me just ask a question to the minister. Is the government paying better than scale for the performers and the artist participants who are coming to the Queen's visit? I'm just interested in that. I'm assuming that they're paying them because they're respecting the fact that they're artists, and the artists are actually doing what they make a living doing. I'd be interested in knowing from the minister if they're paying better than scale for the performers and the artists. That's an official question on the record that I would like to get an answer from the minister on.

I'm just so frustrated by this. I guess what I really want to know from the minister is: why is this government unable to fund the arts? Is there an ideological block that you stub your toe on every year that you just cannot bring yourself to fund the arts? Or do you really not believe all the examples that are brought to you of leveraging the money and how much it leverages into that sector and into other sectors, how much that investment pays off? What is the stumbling block that year after year I hear the same speech and I don't see the money. So, why? Just let us know. Just tell us what it is. If you really don't mean to do this, just tell us, and tell us why. If it's ideology – I'm interested to know at this point why you won't increase this.

This government had a \$6 billion – with a "b" – surplus last year. Now, some of it they have already invested, and there were laws that it would get cut off, and it ends up coming out in the books at \$4.7 billion – \$4.7 billion – and we can't get \$19 million – with an "m" – for arts funding in this province. So tell me why. Help me understand why year after year after year we get the same platitudes and no movement.

The Deputy Chair: Hon. minister, did you want to respond?

Mr. Mar: I'll review *Hansard*, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Calder.

Mr. Eggen: Thank you, Mr. Chairman. I rise with some interest to speak on the Community Development budget here this evening. It's a very wide-ranging ministry. Sometimes I find sort of difficulty in seeing how things are tied together. I think it's a place where perhaps several services that the government does indeed need to provide somehow are thrown into a rather loose basket. However, certainly there are a number of very interesting and hot-button issues here that I would like to speak on this evening. You know, I've done a number of these budget estimates now, and I must say that . . . [interjection] Yeah, I know what I'm doing, right? I'm earning my money.

What I find is a discrepancy between what the intention is, I think, and what actually happens. I think that this ministry is by far the most confusing or oblique and a little bit bizarre, perhaps. I'm just going to pass through sort of a passel of questions, and the minister

can respond as he sees fit. You know, I do find it a bit disturbing that we don't have active responses here in the House, though. I mean, I hope that this isn't a trend where we just exchange e-mails and get written responses because, of course, part of the integrity of this House is that we do interact with each other in some small way across this green broadloom.

Talking about the arts, I think a couple of members have already spoken about the arts celebration in regard to the centennial. You know, myself, personally, I was surprised that there wasn't an organized means by which the National Arts Centre program was being moved en masse back here to the province of Alberta where we could see it. I'm glad to hear that there is some ad hoc movement in that way, but I find it a little bit disturbing that we didn't have that as an organized plan ahead of time.

You know, we're a number of months into our centennial, and for planning arts gigs, you need to have time. You need to sell tickets. Even if you're going to give them away, the time is running out. So I hope that some of those very interesting productions that the people in Ottawa got to see come back so that the people in Alberta can see them too and that they are affordable so that the average person can go and see them.

I remember vividly the 75th anniversary celebrations that we had in this province and a number of very lovely legacies that came from the 75th anniversary. You know, a lot of those things, or some of them anyway, are no longer with us. Jazz City is a very good example of that here in Edmonton. I think that without hesitation I can say that Jazz City died a slow death because of underfunding from this provincial government. When we started Jazz City in 1980 and through the first 10 or 15 years, it was just a remarkable jewel in the cultural crown of this province. Without any increases to meet inflation, in time some of these arts festivals have been slowly starved to death.

I know that the Edmonton Folk Festival, say, for example, is a very successful festival here in the city, but they are still receiving the same money from this province that they received 15 years ago. I don't know how much it cost per kilometre to pave a road in 1990 or so, but certainly it's a lot more today. It's the same thing with the Folk Festival. It's successful because people work very hard on it with legions of volunteers, but we're underfunding these festivals, and we do so at our peril. I know that the managing director of the Folk Festival said that it's not written in stone, that what we have here today can easily be gone tomorrow. He said that this provincial government giving him a very paltry sum makes it much more difficult for him to continue to put on a world-class festival here in this city. I find that very disturbing, and I think that we could do a lot better as a provincial culture supporter.

Just going through the budget, one that sort of stuck out for me here because, of course, we don't have it this year at all is the NHL team initiative. This initiative is a subsidy that apparently is paid through lottery sales, the Sport Select tickets. As far as I know – and maybe it's a special provision written in. Perhaps it's not entirely with the spirit of Gaming revenues going to private sports teams. I think that the lottery fund disbursements are meant to be, and I quote, used to support specific charitable, not-for-profit, public and community-based initiatives and projects. I don't think that professional hockey teams fit into that category. We don't have professional hockey this year, and I've seen plenty of good hockey from the University of Alberta and the junior teams. I don't know. This government likes to talk about getting out of the business of being in business, but my question is: how does that fit into the overall strategy of this department?

9:10

Now the centennial celebration. Certainly, I'm looking forward to a number of things that are going to happen. I just would like to

see a real focus on getting a maximum bang for the buck here with the centennial celebrations, and that means having the maximum contact with the most people getting some benefit from the money. You know, some of the initiatives that I've seen thus far are sort of sputtering along in that regard. We're only spending about five bucks per head, right? Certainly, there must have been more spent on the 75th anniversary. Really, I think that people are waiting with bated breath for what big events are going to happen, but at five bucks per pop I don't know if we're going to be able to meet those expectations or not.

Now, the Alberta Foundation for the Arts is the same as it was last year, at about \$32 million and change. The money is coming from lottery funding, I believe, almost entirely. When we make these distinctions, when we talk about how we're supporting the arts and whatnot, you know, tying so closely to lottery funding, I think that it's a bit of a dispersement of the responsibility towards arts funding. Lottery funding is not the same as tax funding, and as well some people don't like that, the fact that the money is coming from gambling revenues.

A report from Statistics Canada in January showed that Alberta ranks last of the provinces and the territories when it comes to per capita public funding for the arts. This is ironic because in Alberta people spend more on cultural goods and services per capita than anyone else. So it's like, you know, we're sort of out of sync with the strong public support that we have for the arts in this province, and indeed we do have a vibrant arts community. But, you know, everywhere else in North America, I hate to tell you, and certainly in Europe the arts are subsidized because it's a cultural institution which is vital to the integrity and to the quality of life of the people. Really, you get the best bang for your buck by putting money into arts funding. I find it to be somewhat embarrassing that our province is last in this per capita funding. Certainly, with the overall economy that we're enjoying here now in this province, we could create a great cultural renaissance in Alberta and do much better than we are doing now, in fact.

In regard to parks I guess we're seeing quite a substantial boost in the operating budgets. But let's try to remember what we saw happen to our provincial parks infrastructure and development over the last few years. Quite frankly, I think it's generally agreed upon that, you know, a lot of these things have been falling apart for so long that it's a good thing that we are in fact putting a couple of bucks back into these places, right? A number of the provincial parks that are around Edmonton are heavily used. People love to recreate through camping and by taking the kids out to the beach or whatever. So many of these places have deteriorated over the years that I think this money is going to perhaps just bring things back to some level instead of expanding the facilities themselves.

Just in regard to the parks, as well, of the \$247 million Community Development budget, the parks and protected areas only get \$36 million in operating money for refurbishing and maintenance, 35 per cent more than they did receive last year. So I do give some credit to that change in the funding, but as I say, it's long overdue, and we could certainly do better.

So my overall conclusion, then, as I said before, is that I think there's a lack of focus in Community Development, and the lack of focus comes from, I guess, a discrepancy between what appears to be happening and what is actually needed. You know, so often I see the Community Development department announcing their new things for this and that and putting a great deal of effort into that, announcing what new things are coming, but a lot of those things are things you need anyway. They're things that, actually, are just part of the core of what this ministry should be funding in the first place, so really it's confusing at best.

Thank you.

The Deputy Chair: The hon. minister.

Mr. Mar: Thank you very much, Mr. Chairman. I appreciate that the hon. Member for Edmonton-Calder can express himself passionately without frustration. I can answer a couple of questions for him, but first let me say thank you for the credit that was given to reinvestment in the area of parks. This was a significant priority for the department and one that we're very proud of.

I appreciate the comments that he made with respect to the arts in general and the passion with which he spoke on that subject. Let me make one correction on the issue that he said struck him in reviewing this. That was the \$3 million that went to supporting the NHL franchises. This portion of the budget is not related to lottery dollars; this is a tax on the players, for those players that play in the province of Alberta, that goes back to supporting Alberta's two NHL teams.

He did ask: how can Albertans see the artists that performed in Ottawa at the Alberta Scene? Of course, they're from Alberta, so he can certainly watch the Edmonton Symphony Orchestra, or he can watch Decidedly Jazz Danceworks in Calgary. Ian Tyson performs in many different venues throughout the province. So these, of course, are things that Albertans have enjoyed for many, many years that now we can say that many Canadians have had the opportunity to see that they would not otherwise have seen.

I can also tell the hon. member that a number of booking agents or impresarios were in attendance, almost 100 of them. They each got a description of all of the artists that were performing at Alberta Scene. I'm advised that a number of them are planning on booking Alberta artists in jurisdictions that will be outside of the country, in Europe and in North America and in other places. So this has been a tremendous success.

With respect to centennial celebrations, I agree with his perspective that we should get the most bang for the buck. I think that when he attends the celebration of Her Majesty the Queen's visit and the September 1 centennial celebration that will be throughout the entire province – I think that people will be very impressed with what we've done. Of course, there will be local and municipal and community events throughout the entire year. I would invite him to go to the centennial website to see a list of several hundred events that are happening all over the province of Alberta that all are related to the centennial. If I've made any errors or omissions, I will review *Hansard* and reply in writing.

Thank you, Mr. Chairman.

Mrs. McClellan: Mr. Chairman, I just want to make a few comments, particularly in a couple of areas. I want to express appreciation on behalf of my constituents to the minister for a number of the programs that are in place for the arts in this province, and I'll speak from a rural perspective, where we don't have the symphony or the philharmonic or many things. I want to express appreciation that the Foundation for the Arts provides for the travelling program that's enjoyed in Consort, Alberta, where they show at least five performances in a year, in Stettler, in others.

I want to express appreciation for our theatre groups. I can tell you that there's a theatre group in my community that almost annually for the last 25 or 26 years has put on a musical production. My community has a residency of about 10 people in the immediate town of New Brigiden, where this is shown, but the talent comes from far around. They've produced *Oliver*, *Fiddler on the Roof*, *The Fantasticks*. I could name them. In fact, I did the makeup for this group in my earlier years. I couldn't find enough talent to perform.

9:20

They put on seven productions about a month ago. Each one sold out in the community hall, each one having a brunch or a dinner

which allowed a fundraising opportunity for community groups like the drama club, like the curling club, like the community club, like the early childhood services. If you had gone to each one of those, you'd have seen the same workers because everybody belongs to all of those organizations. It's an amazing opportunity.

I could mention the play that the Consort players put on each year or the Hanna players and so on. That's only allowed by the support that we get, one, in bringing directors out to help with the direction and management of these plays, where expertise comes from Calgary or Edmonton, supported by the foundation to assist these communities to put on these outstanding productions.

I want to also mention that from a student point of view, Mr. Minister, I can't tell you how many letters I get from students thanking us for our support for the writers' workshops. I think it's writers in residence. I know that most of the students in my area go to Red Deer to the college for a week program. These students enjoy that. It develops their opportunity to develop talent.

I have attended a number of music festivals in the last few weeks, mainly because my granddaughters were performing in them. I look at the Coronation music festival, which is in the constituency of the Member for Battle River-Wainwright, and that music festival has gone on for years and years and years. It is a weeklong festival that celebrates voice, drama, dance, all forms, and it's an amazing festival. The Hanna music festival, the Stettler music festival, just to name a few in my constituency: if you want to talk about the opportunities for young people to develop culturally and develop their talent, those are some opportunities. I was asked specifically to, and I do try to, pass on to you the letters from these students of their appreciation.

I want to express appreciation for another program that I think is absolutely amazing. It's where a group of usually two people come into the school and spend three or four days, and the school puts on an entire production. It might be a takeoff on one of the nursery rhymes or something. There's a couple from Tilley that have been doing it recently. Missoula theatre was another that came in. It involves the whole school, and they do an amazing production. Talk about an opportunity for young people to develop their talent, where we don't have it at our doorstep here. What it does is really encourage these young people to have an appreciation for the arts. When they come to the city, they like to go to productions at the Winspear or at our Jubilee auditoria or Catalyst Theatre or many of the others that we have. That appreciation I really wanted to express.

Our parks. I have some of the parks in my area. I'm always pleased that we can further improve them. Mr. Minister, our parks are much appreciated. They're not rundown. They're not an embarrassment in the area that I live in. We were very supportive of seeing some dollars go to help keep that quality up.

I wanted to just mention one other thing. I'm very proud of what we're doing in our centennial celebrations this year. There's been some talk that we don't have enough cake, we don't have enough streamers, and we don't have enough parties. I've said: you know, when the last piece of icing is licked off the fingers, when the last balloon has popped, and when the last streamer has gone away, Alberta will have legacies that will be here for us to celebrate for many years. Many of the projects in my community, indeed, began as 75th anniversary projects, and we've been able to enhance those projects and keep them viable in our communities on into the future with dollars from the legacy projects.

I want to speak in particular about the ATCO learning centre at the Royal Tyrrell Museum, which was one of the first public legacy projects that was open and, in fact, where ATCO gave \$1 million. I think it was the highest amount for a single project that was ever

donated by a corporation. What an amazing addition to something that nobody else has in the world, the Royal Tyrrell Museum, and it is used extensively. I've actually – I think I've said this in the Legislature before – participated in a sleepover at the Royal Tyrrell Museum. If you haven't done it, you should, and you should go with a group of grade 1s, 2s, and 3s because they're really the most fun. You sleep under the dinosaurs. Your classroom is the new learning centre. Those young people know more about science through that, and it's an amazing thing. That's the kind of legacy I want to see for our province.

Yes, we're going to have the community parties and occasions. Our communities are very supportive of the dollars that have been given to them to help with those celebrations. More importantly, I am excited, and I am looking forward to the refurbished Jubilee auditoria. I haven't seen them – everybody that has tells me they'll knock your socks off – but I love the Jubilee auditoria. What a legacy, and what a worthwhile legacy for a hundredth anniversary.

Alberta is celebrating a hundred years, and we will build a foundation for the next 100 years by wisely investing in legacy projects the width and breadth of this province. For that, Mr. Minister, I thank you.

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

Mr. Chase: Thank you very much. We have some great discussions in the Chase family with regard to support for the environment and parks. Hon. minister, my father was one of your biggest fans when you were Minister of Environment. My father has received awards from this government and other conservation groups like the Order of the Bighorn for restoration and habitat work that he's done. He's a past president of the Sarcee Fish & Game, worked with Ducks Unlimited, and he was very appreciative of the work you did as an Environment minister. As I say, he's one of your biggest fans. I'm hoping to be your second biggest when it comes to parks and protected areas.

I want to do a little bit of a historical look at my particular reason for having this parks and protected areas critique portfolio. In 2002 I started working with my wife as a campground attendant – maintenance, basically jack and jill of all trades – in Cataract Creek wilderness protected area. We started on the May long weekend in 2002, and the difference between 2002 and 2004 was just unbelievable. In 2002, thanks to the federal government and the G-8 and the fact that a lot of the G-8 activities were happening in the Kananaskis, we had, I'd say, almost hot and cold running conservation officers. We could count on at least one daily visit from conservation officers. There were a number of seasonal officers that summer, and it was great.

We had a system whereby, especially on weekends, we were responsible for doing our last rounds between 11 o'clock and 12 o'clock. At that point we would record in a book for the conservation officers, who we knew would be coming through at night, any particular campers who were causing difficulties, any things that we wanted the conservation officers to potentially check out to support the program.

After the G-8 ended, fortunately the contract of the seasonals continued throughout the summer; 2002 was a very good year. It was a learning year for both my wife and I, trying to carry out all the duties to spruce up the campground and try and keep it at the level that it once was when it was under provincial jurisdiction, and we did our best to do that.

9:30

When we came out in 2002 in the spring, in May, there was still

a powdering of snow on the forestry road, and obviously we had to drive very carefully. When we got to I would say kilometre 9, we looked ahead down the road and saw this magnificent view of a tree-clad mountain, three peaks, and as we got to about kilometre 12 and we were just going down the bend by Cataract Creek, we looked out on to this meadow and again because of the newness of the spring and the high level of the water – the creek was full. It was rushing.

We got to our camp spot, set up. Incidentally, at that point, there were banks of 10 feet of snow where the area had been graded out so we could get our fifth wheel in. We looked back, we looked to the north and to the west, and we saw this beautiful three-peak panoramic mountain view. Absolutely breathtaking.

As the snow melted, we had our first taste of the wildflowers and the whole atmosphere. On one side we'd look at the three peaks. On the other side we'd look up at Mount Burke majestically commanding the area. We could see over to Strawberry Ridge, which was a very popular hiking destination: Mount Burke and Strawberry Ridge. Then the other big attraction was the number of fishermen and hikers that would go along Cataract Creek to the falls. This was a major hiking destination, extremely popular, as I say, with both fishermen and hikers. Daily picnickers would enjoy the day-use area at Cataract Creek.

When we came back in the spring of 2003, we could not believe what had taken place over the winter. When we hit that kilometre 9, all of a sudden we're looking at what would be almost Sudbury-like devastation. The area that we used to look at with the three mountains was now that much easier to see because it had been clear-cut.

That clear-cutting continued unabated throughout the summer of 2003, and when the Lost Creek fire was raging down in the Crowsnest area and a fire ban was put throughout the areas, we still had the clear-cutting taking place throughout the night. It was amazing to me that campers weren't allowed to even have mosquito coils for fear of starting a potential forest fire, yet heavy-duty machinery was allowed to go through the forest and clear-cut at random, throughout the night I might add. So our campers were confined to the campground. They couldn't leave the campground. They couldn't go out into the backcountry because of the ban, but for the commercial operators, the foresters there were no restrictions with the exception of one week in August.

Also, one of the things that made communication very difficult for about two weeks was the water bombers that were fighting the Lost Creek fire. We're on the same radio frequency as the conservation officers, so when we had an emergency – and we had a variety of emergencies – we couldn't get through because of being on the same radio channel. After a week and a half and several complaints later we finally got our channels working so that we had access.

One of the problems in terms of communication that we experienced was the repeater stations. Fortunately, in most cases we could be heard, but we never knew when we called for backup if there was going to be anybody coming. Because we were over 80 kilometres away from the nearest RCMP and about 60 kilometres away from the Sheep station, we weren't sure if we were going to get the support.

In the summer of 2003 I think there was one seasonal, and the frequency of visits was considerably reduced, particularly on weekends because we were that much farther into the areas. My wife and I did our best to maintain the discipline, welcome the campers, and so on, but there just was not enough conservation officer support.

In 2002 Highwood House was still a conservation office. Some of the wonderful people like Pat Ronald worked out of that conservation office. He was there, and we could contact him, and 13

kilometres away we could get some support. In 2003 the office is completely shut down. In 2004 the office is not only shut down; it's closed and all the tourist information, all the maps, all the support for visitors is gone. It wasn't just Highwood House that was closed; it was a whole series of conservation offices that were closed. My hope for the minister is that now that there's more money, we can see people getting beyond that seasonal situation in conservation officers and have more full-time people hired. I hope that is within the budget.

The other area that was frequently discussed – I would talk to people, Ray Andrews for example, from Canmore and Community Development, and I'd talk with conservation officers, forestry officials, sustainable resources – was the multi-use aspects. It concerned me that not only did they clear-cut on the outside edges right up to the park boundaries, within 30 metres of Cataract Creek, which had a reputation of being a wonderful trout stream – and it drew visitors all the way from Europe – but then in the summer of 2004 we had a group basically cutting what was left after the outside areas had been cleaned.

Now, the latest effort was using the park's road itself, punching out the most scenic camping spot in the campground, which was site 71-72, which no longer exists, so they could make a road, use the camp road to pull out the trees. Those are the trees that are on the side of Mount Burke. They're the trees that go down to the second falls. This area, as I say, was cut. So in terms of multi-use you start wondering: who's going to come to see this campground? Who's going to go to the top of Mount Burke or the top of Strawberry Ridge? Why are they going to want to go to these destinations when they look out and all around them they see what used to be forest?

I question the jeopardizing of the creek. I personally don't believe that 30 metres is sufficient, especially when we're talking about lodgepole pine to keep the silt from going into the rivers. Of course, in each succeeding year whenever there was any melt or runoff, those creeks were a whole lot muddier than they had been in previous years, when the trees were there to serve as almost like a toothbrush and strain. Now, I'm hoping, as I say, that some of these errors will be corrected.

The other error that I want to talk about in multi-use – I'm assuming that it falls under Community Development to maintain the fences. Not only did we have to listen to the wonderful chimes of clear-cutting in the evening, but we also had free-range cattle. Because the fences weren't maintained or because they were knocked down by the forest companies and there was nobody to put them back up, the cattle would come into the campgrounds. They would rub against the trailers. They would run into the tents. Try dealing with – I don't know – a half-ton Angus bull first thing in the morning. You know, campers sort of racing for their trailers and this big bull marching down the campground roadway. Well, I got out my golf pencil, and I threatened it. It didn't have much effect, but I did my best.

9:40

I'm hoping that part of this will be the restoration of the fences so at least we can keep the cattle out of the parks. It worries me greatly when we talk about now turning loose buffalo. In Sustainable Resources this morning they said: well, if the buffalo are going to be on leased grazing land, then there have to be appropriate fences built. Thank heavens for that. It's bad enough greeting a black Angus bull. I wouldn't want to be greeting a buffalo in that same circumstance.

Now, I'll move on to the arts programming. What I see with this government is a little bit of what I would call doublespeak. The Member for Calgary-Egmont proposed a bill that would make some

type of arts course compulsory at the high school level. That's great. However, in turn, what's happening is the first programs to be shut down by lack of funding are the fine arts programs at the junior high schools. In 2002 we lost our drama program at my junior high school, F.E. Osborne. In 2003 the band program was basically cut in half. Bring it to 2005: Simon Fraser junior high in Calgary-Varsity constituency won't be having a band program next year because of lack of funding and lack of support.

If we're going to talk about supporting arts and culture, let's start at the school level, as the Member for Calgary-Egmont suggested, but don't just make the course compulsory. Provide the support so that arts and culture can be a viable, ongoing entity. Encourage children, junior high and senior high, to appreciate the arts, and then once they graduate, support the arts so that they can go and enjoy the programming.

I would like to know from the minister if what I've heard is true, that the Department of Community Development has only paid for half of the bills for the two Jubilees. My understanding is – correct me if I'm wrong; that's why I'm asking the question – that the government paid half the bill and arts groups were left for the other half, trying to find matching funds.

Mrs. McClellan: What?

Mr. Chase: I hope that's not the case. I said: correct me if I'm wrong. That's the question I'm asking. I stand ready and willing to be corrected. I hope they received the whole funding.

With regard to centennial celebrations we've got ambassadors who have jackets and very little funding to go to events where those jackets could be worn. I've heard from a number of centennial ambassadors that they don't have the money necessary to carry out the celebrations.

It's great to hear about some of the arts activities that are happening in the rural areas. I'm glad to hear that there is a degree of support from the government. That's necessary, but I have a feeling that the majority of the money that is raised is as a result of local initiatives as opposed to government support.

I also wonder – and it has been brought out before – why Alberta's 75th anniversary had more pizzazz and celebration than our 100th anniversary. It concerns me – and this was an article that was brought out in the *Edmonton Journal* – that it seems our poor eastern 100th celebratory sister is spending more money celebrating and recognizing their province than we are. Again, if either the Minister of Finance or the Minister of Community Development wishes to correct my assumption, I would welcome it.

I'm proud to be an Albertan, even though it's only been since 1966. I think we have lots to celebrate. My background is in the arts. I had classical training in Latin for five years. I majored in art at university, a double major in art and French. I want to see the arts celebrated, preserved, and sustained, and I would like to see more funding evidence that that's going to happen. We have a number of talented musicians who I thoroughly enjoy at a variety of jams. I mentioned going to the East Coulee Spring Festival. We have some wonderful events happening like the Canmore music festival, but they're basically sponsored by communities. I'd ask the Community Development minister: does Canmore receive any funding for putting on that festival? Or does Edmonton receive arts support funding for the Fringe or Calgary for the folk festival? To what extent does the government fund and recognize these wonderful events? I'd like to hear that the government funded these to a great extent, and I'll sit down and listen for those answers.

Thank you.

The Deputy Chair: The hon. Member for Calgary-Nose Hill.

Dr. Brown: Thank you, Mr. Chairman. I would like to congratulate the minister on his budget and in particular on the dedication of \$150 million to the Provincial Museum, soon to be the Royal Alberta Museum.

I find it a little bit hard to fathom the outrage, feigned or otherwise, of the hon. Member for Edmonton-Centre when she said: there's no special funding for the arts in this centennial year. A hundred and fifty million dollars is certainly a considerable amount of money, even in Liberal opposition terms. Compared to the sum of \$30 million, which the federal Liberals are pumping into the project, it certainly is a considerable . . .

Ms Blakeman: Point of order, Mr. Chairman.

The Deputy Chair: The hon. Member for Edmonton-Centre is rising on a point of order.

Point of Order Imputing Motives

Ms Blakeman: Thank you very much. I would ask under 23(i), for imputing false or unavowed motives to myself. The statement that the member is attributing to me was not in fact uttered, and he needs to be able to check the Blues and be a bit more accurate when he quotes me. I'd appreciate it if he did that because he has misquoted me and taken me out of context. My comments were very carefully made, and what he's quoted me as saying is not accurate.

Dr. Brown: I believe the comments were to the effect that the member could hardly contain herself. It seemed to me that she was expressing some sentiment of outrage at the funding, and certainly her disposition displayed that demeanour. So I don't think that the fact there was some sort of outrage displayed is in any way demeaning to the member. I think that's what was expressed.

The Deputy Chair: Anybody else on the point of order?

Hon. members, the point of order is being raised under Standing Order 23(h), which says that "A member will be called to order by the Speaker if, in the Speaker's opinion, that member makes allegations against another member." The hon. Member for Edmonton-Centre stood up and indicated that she had not uttered those words that are being attributed to her. The chair does not have the copy of *Hansard* at his disposal, so the chair is going to use the words that the hon. Member for Edmonton-Centre has just indicated to be factual, unless the records indicate otherwise. We will accept that no such comments were made by the Member for Edmonton-Centre.

I hope that the hon. Member for Calgary-Nose Hill will consider this as a clarification from her and hopefully will do the honourable thing.

Dr. Brown: If I mistook the sense of outrage, then I certainly withdraw those remarks with respect to the outrage that I seemed to detect coming from the member.

Debate Continued

Dr. Brown: As I was saying, the sum of \$150 million being allocated to the Provincial Museum is certainly far in excess of what the federal government has allocated to that project. The hon. Member for Edmonton-Centre did give a compliment to the Glenbow Museum, stating that it was deserving of some recognition,

but she also implied that the Edmonton Art Gallery was also deserving of some sort of special recognition and was the pre-eminent art museum in the province.

9:50

I would like to say that the Glenbow Museum in Calgary is certainly an outstanding institution and is an outstanding asset to southern Alberta. Under the leadership of Michael Robinson it has displayed an admirable job of being entrepreneurial. Unlike the Provincial Museum it is an independent institution, and as such it faces special challenges. They've done a tremendous job of being entrepreneurial, as I've said, in attracting outside money, outside philanthropy. They are now undergoing an extensive project to modernize the institution and to make it more user friendly and more informative and educational. I'm sure that the Glenbow Museum would love to have the type of funding that's been allocated to the Provincial Museum.

I would like to just ask the minister if he could perhaps share with us what plans he might have with respect to the Glenbow Museum as the major artistic and cultural institution in the city of Calgary with respect to static arts and, also, whether or not he might share with us some of the possible solutions to the special challenges that the Glenbow faces with respect to its status as an independent institution. I'm thinking particularly of the challenges that they face with respect to benefits for the employees and the pensions, which are nowhere comparable to those that are allocated to their counterparts here at the Provincial Museum.

The Deputy Chair: The hon. Member for Bonnyville-Cold Lake.

Mr. Ducharme: Thank you, Mr. Chairman. I'd like to take this opportunity to put a few comments on the record in regard to thanks from the residents of Bonnyville-Cold Lake for the Ministry of Community Development's grants when it pertains to the centennial legacy. The town of Bonnyville was the beneficiary of \$1.7 million for their centennial project, as was the city of Cold Lake, which received the same amount.

I'd like to share a little bit about how this money makes a big difference in a rural community. The project in Bonnyville was pegged at \$13.5 million. It's going to be the addition of a second arena, indoor soccer field, an education centre, a fitness centre for seniors and youth alike. We had the official sod-turning ceremony last Friday, and it was attended – I didn't have the official count, but I would say that there were probably 1,500 people that turned out for this event. Seniors, people of middle age, lots of youth were there to recognize how instrumental this project was going to be in making their quality of life that much better in a small rural community.

But the part that's inspiring, Mr. Chairman, is the fact that the local groups got together – of course, the two municipalities got together, and they pledged to put in \$5 million towards this project – but the rest of it had to be raised. We received \$1 million from Canadian Natural Resources Limited; half a million dollars from EnCana resources; a local company, Denmar Energy Services, pledged \$300,000. They would go to the local shoe store, that would donate \$5,000, and on and on. The committee had set a target of \$1 million. They are close to reaching \$1.5 million from the local community. It's a feat, I'm sure, that is the envy of many other communities across Alberta because the people there – with the driving force that the municipality had and the \$1.7 million that came from the province, it gave them the desire to be able to say: hey, it is attainable.

In Cold Lake they're going to be starting their fundraising campaign. They're building themselves a new ice arena. They have

two older ice arenas that have basically done their time. They've had a junior B hockey team that have just finished off their second year there. The community is behind them, and they know that they need a new ice rink. I'm sure that they will be as successful as they go forward.

So on behalf of my constituents I just want to say: thank you for those \$1.7 million because we are grateful. We appreciate what it's going to do. It's going to change our quality of life and provide entertainment for our youth for many years to come.

I'd also like to thank my centennial ambassador, Mr. Vic Sadlowski. He's been involved with the various schools. He's been involved with the seniors. He's a retired schoolteacher, but he's always had a great knack in terms of being a great master of ceremonies, so as we go through with any special events in our community, he's there with his coat that describes him as a centennial ambassador. He's working with the schools. They're planting trees. They're having all types of events. He attends all the different functions that I attend, where I go and give the gold medallions to our centenarians.

So it's great to show that we are celebrating. We're showing that Alberta, basically, over the past hundred years has been about building community, and we're continuing on with that type of legacy as we work together and continue to build community as we go into our second century.

Going to the Francophone Secretariat, if I may, Mr. Minister, I'd just like to ask a couple of questions. In the past budget there used to be a separate line item for the budget for the Francophone Secretariat, and I haven't been able to find it, so I'd really appreciate to see if you could tell me what the budget is for this year. As you are aware, we met with the francophone community a few months back, where they were asking to have an expanded mandate of the secretariat. The secretariat's been in place since 1999, and they've asked in terms of being able to see the mandate expanded. I would certainly like to hear your comments on that.

Thank you.

The Deputy Chair: The hon. Member for Edmonton-Ellerslie.

Mr. Agnihotri: Thank you, Mr. Chairman. I just want to add a few more. There's a confusion. The Minister of Finance and the Minister of Community Development both are saying that the ministry is doing really well, but I have some documents showing – I mean, somebody, I remember, wrote a letter from Calgary, and he's from the hon. minister's riding, and I want to mention what he thinks about libraries in this province after the motion was defeated. He said that we are a province without deficit, and we are a province that calculates its surpluses not in the hundreds of thousands nor in the millions but in the billions, and we cannot afford the \$4 million that it would take to eliminate library fees. The motion was defeated, but he was really frustrated.

The hon. minister, if he remembers, knows what I'm talking about. He said he was a Conservative all his life, but in the end he said keep up the good work, and the Liberal Party may have just found a new supporter.

So the people are saying different than what I hear in this Assembly. I don't know whom I should trust.

Another thing I want to add is that I think no other speaker has spoken so far on per capita public funding for arts on an annual basis. I was reading one article that Alberta is the lowest. Alberta pays \$160 per person and Manitoba \$210, Saskatchewan \$199, British Columbia \$183. Nationally it's \$236. I mean, Alberta is the richest province, and we . . .

Mr. Bonko: Are the cheapest.

Mr. Agnihotri: I don't say that we are the cheapest, but we can afford. I know the hon. minister says that he is trying his best. I can request him to please do something for the arts in this province.

Thank you.

The Deputy Chair: Are there any other speakers? The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Well, thank you, Mr. Chairman. Just a couple of quick points that I would like to make in regard to the budget for Community Development.

10:00

As I was leafing through the Order Paper this afternoon, Mr. Chairman, I noticed a couple of private members' motions that are way down the list and not likely to be debated this sitting. I think that's unfortunate because I notice, as an example, one that's proposed by the Member for Drayton Valley-Calmar that talks about urging the government to "consider increasing the per capita grant given to Alberta libraries by 50 per cent in recognition of the late the Honourable Dr. Lois E. Hole to encourage library enhancement and increased participation in our public libraries." I just think it's really unfortunate that we're not going to have the opportunity to debate that motion.

Hon. members will recall that earlier this session, unfortunately, a motion from this side of the House was defeated that would have seen free library cards distributed to all Albertans in honour of the late the Honourable Lois E. Hole. I think, as well, that that's unfortunate. So I'd just like to I suppose remind the hon. minister that certainly there are members of his own government caucus that feel strongly about supplying an awful lot more funding to public libraries.

In fact, two weeks ago now, I guess it might have been, I was at an AUMA seminar – I believe the hon. minister was in attendance as well – and at least twice I heard members, councillors or reeves from various communities across the province, get up and refer to the fact that library funding was a concern for them, and they really felt as if they had been shortchanged somewhat. I would certainly like to echo the sentiments expressed in this private member's motion and hope that at some point the minister might take that into consideration. If it can't be accommodated through this year's budget, then hopefully during next year's budgetary considerations we could take a serious look at providing much stronger support for libraries in this province.

Another one, Mr. Chairman, that caught my eye was a motion that was on the list to be debated at some point by the Member for Wetaskiwin-Camrose. It, again, is not likely to see debate during this sitting, but it would have asked the Legislative Assembly to encourage the government to "provide assistance for youth cultural sports exchange programs to increase awareness of and interaction with other cultures around the world."

I think that this is a wonderful initiative that would have likely received a tremendous amount of support from all sides of the House, and I'm sorry to see that it's not going to be debated in the Legislature this time around. Again, I would hope that the minister would have a close look at that resolution and understand that there are members of his own caucus that feel passionately about this, that perhaps we're not providing enough funding to these groups and that we could certainly be doing more.

It's been pointed out several times tonight that we are a very

fortunate province at this point in time, with an unbelievable excess of revenues coming in thanks to the good grace of God and the fact that we have oil and gas in the ground and record high prices that are providing us with revenues beyond most of our wildest dreams. Given that that is the case, I think certainly one way that we could be sharing that wealth with the citizens of Alberta and making sure that there is a greater legacy for all would be to be investing in libraries and also in youth cultural sports exchange programs. I think those are two excellent initiatives, and I wanted to have the opportunity to be on the record as supporting those since the minister will be aware of the fact that we will most likely not have the opportunity to debate them at any other point in this sitting.

Thank you, Mr. Chairman.

The Deputy Chair: Any others?

Hon. minister, did you want to have any concluding remarks?

Mr. Mar: Thank you, Mr. Chairman. Many questions have been asked, and as I have said many times this evening, I will review *Hansard* and reply in writing.

There were a couple of things that I did want to comment on. I appreciated the comments by the Member for Calgary-Varsity. I don't think there's ever been a vacation slide show presented in this Assembly, but that was pretty close to it, and I appreciated the description of what he saw in 2002 in Cataract Creek versus 2003. Notwithstanding the lack of vacation slides I have a pretty good picture in my own head of what he was describing. While I cannot answer questions about what may have happened in that year or why the cutting was taking place, the germane point that I take from all of what he said was: if there were errors, can we learn from them and correct them in the future? I'm committed to doing that.

I appreciated his comments about supporting the arts right at the school level. That, of course, does not fall directly within my portfolio responsibilities, but I know that as a former Minister of Community Development the current Minister of Education takes this quite seriously. He understands the need to not only mandate programs but for funding to follow accordingly.

With respect to the Jubilee auditoria, I can correct the member. There is no truth to the idea that we would ask arts groups to find matching money for the province's contribution. There was, however, a foundation that was set up. Friends of the Jubilee both in Calgary and in Edmonton created a foundation where they were trying to raise some money. They have expressed some success in being able to do that but certainly not to the magnitude of going half-way on the capital costs, which to my recollection are in the magnitude of some \$60 million. They might have raised a few hundred thousand or perhaps a million dollars, as an example, to put new pianos in the facilities, but it's certainly not something that we are mandating that they do. The province, to be clear, will pick up the tab for the construction work that's being done at the Jubilee auditoria.

The Member for Calgary-Varsity talked about some of the centennial events that are happening on a local scale. It's true that many are being organized locally. We are trying our best through our centennial ambassadors to become aware of them so that we might co-ordinate them provincially and bring attention to what a local community might be doing and, of course, invite other Albertans or perhaps even people from outside of Alberta to participate in that.

I can't comment specifically on how much is being spent by Saskatchewan on centennial celebrations, but I give them much credit. They have worked on a very, very sublime program for

celebrating that province's centennial. They have spent money in some areas that exceeds, perhaps, what we're spending here, but one must appreciate that their objectives may be completely different.

For example, some of the money that is not within the budget of Community Development but, in fact, resides in the Department of Economic Development in tourism is being spent on a program in Alberta Tourism to market the centennial through Alberta Tourism. So while that doesn't appear in the budget of Community Development, certainly money is being spent in this area.

I can't tell you how Saskatchewan is doing it, but I might suggest that some of the money that they're spending on their marketing of tourism is actually being spent under the rubric of the centennial. So I can say that overall it's quite likely, if you include the centennial legacy projects that we've funded, that we're spending significantly more than the provincial government of Saskatchewan, but we may be spending it in different areas with different priorities than they may have established themselves.

The hon. Member for Calgary-Nose Hill asked me about the Glenbow Museum. It is a tremendous treasure. I agree that Mike Robinson has done a remarkable job of running that facility. The nature of the relationship between the provincial government and Glenbow is an interesting one. Some number of years ago there was a constating statute that created the Glenbow Foundation. This is unusual in the nature of museums, I believe. That relationship, which was a statutory one between the province and the Glenbow, ended, and a contractual one was created whereby materials that are the province's but are looked after by the Glenbow – in fact, their care is paid for by the province through a contract to the Glenbow, and certainly Mike Robinson has provided me with much information about the nature of the cost of the care of this collection. So this is an ongoing discussion with the Glenbow, but I again say that the Glenbow is a tremendous resource to the province of Alberta.

10:10

I see that my time is drawing close to an end, so I will just say thank you to the hon. Member for Bonnyville-Cold Lake. I will respond to his questions on the Francophone Secretariat and its budget. My expectation is that the mandate will be expanded for the secretariat by the end of the month.

I thank the hon. Member for Edmonton-Ellerslie for his second round of questions. I thank the hon. Member for Edmonton-Rutherford and will review his comments on library funding and sport and recreation.

With that, Mr. Chairman, I will draw my comments to a close. Thank you, sir.

The Deputy Chair: After considering the business plan and proposed estimates for the Department of Community Development for the fiscal year ending March 31, 2006, are you ready for the vote?

Hon. Members: Agreed.

Agreed to:	
Expense and Equipment/Inventory Purchases	\$235,249,000
Capital Investment	\$41,192,000

The Deputy Chair: Shall the vote 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 would move that the committee rise and report the estimates of the Department of Community Development. I will not be asking for leave to sit again.

[Motion carried]

[Mr. Shariff in the chair]

Mr. Groeneveld: Mr. Speaker, the Committee of Supply has had under consideration certain resolutions, reports as follows, and requests leave to sit again.

Resolved that a sum not exceeding the following be granted to Her Majesty for the fiscal year ending March 31, 2006, for the following department.

Community Development: expense and equipment/inventory purchases, \$235,249,000; capital investment, \$41,192,000.

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. As is the tradition, I would ask for unanimous consent of the House to revert to Introduction of Bills for the purpose of introducing the Appropriation Act.

[Unanimous consent denied]

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

Bill 40
Alberta Personal Income Tax
Amendment Act, 2005 (No. 2)

[Adjourned debate May 3: Mr. Ducharme]

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

Mr. R. Miller: Well, thank you very much, Mr. Speaker. It's my pleasure to rise tonight and open debate on behalf of the Official Opposition on Bill 40, the Alberta Personal Income Tax Amendment Act, 2005 (No. 2). I understand that this is actually the second amendment we've had to the Personal Income Tax Act in this session. I have to admit that on first blush that was a surprise to me, but I understand that it's not necessarily unusual. I can say at the outset that I will be recommending to my caucus colleagues that we support this bill. I really can't find anything terribly wrong about it. A couple of little comments that I will make, however.

Certainly, the idea that we're changing the amount of the credit for the first dependant and going up for all dependants up to four, the fact that it sort of levels the playing field for larger families compared to small families, these are things that I would speak in support of. In fact, Mr. Speaker, I've been on record for some time as suggesting that we have to help out lower income families in this province. The fact that we have a flat tax, which the Official Opposition is well on record as having opposed because it definitely disadvantages lower income families, is something that, as I say, we're on the record as having opposed in the past, certainly not in favour of.

Given that we do have a flat tax – again, Mr. Speaker, I'll refer to a motion that is not likely to see the light of day in this sitting, but a

motion that I had hoped to have the opportunity to bring forward that would have urged the government to improve the quality of life for Alberta families earning less than \$29,000 annually by reducing the personal income tax from 10 per cent down to 9 per cent. At least, if we're going to have a flat tax, I think there should be greater consideration given to individuals and families that are in the lower income brackets.

Nevertheless, this bill, as I say, does go some way towards doing that. Section 3 of the bill would lower the limit from \$6,500 – this is the threshold at which the credit kicks in – down to \$2,760. I'm certainly not going to oppose that, but I would wonder at some point: if we're going to lower the limit to \$2,760, why even bother having a threshold at all at that point, especially since we're going to index this credit against inflation. Presumably, the upper threshold is going to grow. At some point the \$2,760 lower entry level threshold is basically meaningless. I would suggest that we might just as well drop it to zero and allow anybody and everybody to benefit from the credit as opposed to stipulating that they have to make that minimum amount of money before they benefit from the provisions of this act.

One other comment that I would like to make. The member who introduced the bill in second reading for the government, Mr. Speaker, was the Member for Bonnyville-Cold Lake, and in his comments he referred to the fact that the tax credit aims to support low- and middle-income families and to encourage work effort. While I'm not suggesting that we don't like to see work effort, I have to admit that whenever this government talks about encouraging work effort, it always causes me to think that there is a second meaning or a hidden meaning behind that.

We've seen examples of this over the years, Mr. Speaker, when in fact what it really means is that we're trying to lessen the government's load in terms of the assistance that they might provide to those people that are most in need. I'm not suggesting that that's necessarily what the member meant in this particular case because I really can't see necessarily that that's what this bill does. But the choosing of those particular words does cause me some concern because it just seems to have been a pattern, unfortunately, with this government over the years, where we say one thing, and in fact there's a hidden meaning or a double meaning. As I say, I can't see that in this bill. I don't believe it's the case in this bill. I would certainly hope that it isn't the case in this bill.

10:20

With those comments, Mr. Speaker, as I suggested, I am going to suggest that my caucus colleagues support Bill 40. I do believe that it is a good thing for Alberta families and, in particular, Alberta families that are in what we would consider to be a low-income bracket. Certainly, anything we can do to help those families is something that I would support and I would hope that all members of this House would be supporting as well.

Thank you very much, Mr. Speaker.

[Motion carried; Bill 40 read a second time]

Bill 38
Pharmacy and Drug Amendment Act, 2005

[Adjourned debate April 12: Mr. Elsalhy]

The Acting Speaker: Hon. Government House Leader, would you like to close debate on behalf of the minister?

[Motion carried; Bill 38 read a second time]

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

Bill 8
Personal Information Protection
Amendment Act, 2005

The Acting Speaker: The hon. Member for Highwood.

Mr. Groeneveld: Thank you, Mr. Speaker. The Personal Information Protection Amendment Act, 2005, is mostly a housekeeping bill, as you may recall. It's been a while since we did the Committee of the Whole, but there were a couple of questions that the Member for Edmonton-Mill Woods brought up, and I would like to answer those questions so that she has them for her record.

In response to her questions that were raised in Committee of the Whole, let me clarify that the amendment to the powers of the Alberta commissioner expressly states that the commissioner may exercise the powers set out in this section "where the Commissioner considers it appropriate to do so." This means the commissioner must make a determination as to whether the person with whom he proposes to co-ordinate his activities has duties, powers, and functions under a federal/provincial statute similar to the Personal Information Protection Act. If a person believes that the commissioner has either made an error in law or has not exercised his discretion properly, that person can request a judicial review.

In regard to the second question, the powers that the Alberta commissioner and the commissioners outside the province exercise are narrowly defined in the privacy legislation under which they operate. Under this amendment the Alberta commissioner will be able to disclose information only for the purpose of co-ordinating activities with other commissioners. The intent of this amendment is to allow a small arena in which commissioners can exchange information for the effective exercise of their clearly defined powers.

I would hope that that clarifies the questions that were raised by the hon. member, Mr. Speaker.

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

Ms Blakeman: Thank you very much, Mr. Speaker. I'm pleased to get the opportunity to speak to Bill 8. I wasn't able to speak to it in second reading or in Committee of the Whole. In third reading we're essentially speaking to the anticipated effect of the bill once passed.

There is something that is causing me some concern in this bill. Maybe we'll be able to get the hon. member to speak to this in closing of debate for Bill 8 and give me some answers.

Here's the issue that I see. What appears to be happening here is that section 2 of the bill, which is amending section 4(3) of the Personal Information Protection Act itself, is changing health services and accessed information about that in the private sector and in the public sector. It's creating a difference. I think what in effect is going to happen here is that PIPA will be the act that comes into play if the information is generated from a private source or is privately held, and it would come under HIA, the Health Information Act, if it is generated in the public sector or held by the public sector. I would argue that when we're talking health information for individuals, the same rules should apply.

In essence, what we have happening here is that the old section 4(3) states that PIPA "does not apply to the following" and then goes on:

Health information as defined in the Health Information Act where that information is collected, used or disclosed by an organization for health care purposes including health research and management

of the health care system, but for the purposes of this clause health information does not include personal employee information, which is dealt with elsewhere in the Health Information Act.

What we're going to get instead and what's being proposed here is that the Personal Information Protection Act does not apply to health information as defined in the Health Information Act to which that act applies. I think what we're doing is in essence expanding the scope of PIPA and separating it from the scope of the Health Information Act, and I think that's where the problem is.

If we go back and look at exactly what is in the Health Information Act – bear with me. I'm sorry. This ends up going back and forth through a lot of details, but we're looking specifically for health information.

On page 8 of the Health Information Act, health information is defined as meaning

any or all of the following:

(i) diagnostic, treatment and care information.

Okay. So we look up the definition for that, and we get:

(i) the physical and mental health of an individual;

(ii) a health service provided to an individual;

(iii) the donation by an individual of a body part or bodily substance, including information derived from the testing or examination of a body part or bodily substance;

(iv) a drug as defined in the Pharmaceutical Profession Act provided to an individual;

(v) a health care aid, device, product, equipment or other item provided to an individual pursuant to a prescription or other authorization;

(vi) the amount of any benefit paid or payable under the Alberta Health Care Insurance Act or any other amount paid or payable in respect of a health service provided to an individual, and includes any other information about an individual that is collected when a health service is provided to the individual, but does not include information that is not written, photographed, recorded or stored in some manner in a record.

So that's the first piece that's covered as health information. That's the diagnostic, treatment, and care information.

The second piece is health service provider information. Okay. The definition of that is "an individual who provides health services." This was of some contention when the Health Information Act Review Committee met. Essentially, that's giving a lot of information about the health care provider. That includes things like their name, their business and home mailing addresses and electronic addresses, business and home telephone numbers and fax numbers, gender, date of birth, unique identification number, the licensing, the date on which the provider became authorized to provide health services, education completed, continuing competencies, skills and accreditations, restrictions that are applying to the health services provider's right to provide health services.

There's a very long list. It actually goes over three pages in the Health Information Act. I'll just refer the member to it but not read all of that into the record. That's the second piece, which is the health service provider information, and all of this is falling under health information.

The last piece is registration information. Registration information is another list. It's information relating to an individual that falls within the following general categories:

(i) demographic information, including the . . . personal health number;

(ii) location information;

(iii) telecommunications information;

(iv) residency information;

(v) health service eligibility information;

(vi) billing information,

but does not include information that is not written, photographed, recorded or stored in some manner in a record.

So that is what health information is, and therefore this bill does not cover that. That is all talking about delivery, I would say, through the public system for the most part.

10:30

I'd like commentary back or perhaps a legal opinion, if it's possible to deliver that. That's my concern, that we would be creating two different sets of rules based on health information: PIPA if it's private; HIA if it's public. Essentially, what I see is that PIPA is being expanded to cover information held on the private sector, and I don't think we should be in a situation where we've got different rules applying. For one, now you get into long, involved debates about: how was the information generated and who holds it and who is ultimately responsible if something goes wrong? I hope this has happened inadvertently. But this is a government bill, and the government has quite a bit of legal resource at their disposal to be able to double-check this kind of thing. I guess what I'm left with is that the government intended to separate the way this works, and if that's the case, I would like to hear why the government was intending this to have that effect.

I'm sorry; that was a very technical go-round. I know that it's late at night, and people are wondering why we should care. But the truth of the matter is that I think we have to be very careful when we're talking about personal health information, and that is what we're talking about here. I've raised this issue a number of times in the Assembly, that we are trying to seek that balance. There's great resistance from the public to giving information that they believe will be available as personal health information to other sources. If we can't get buy-in from the public, we are never going to get those electronic health records to work.

Right now in Alberta we're already behind. We were the leaders in this. We were out ahead of the pack in starting to develop processes and systems for it, and we have bogged down and snagged badly on this one. Actually, that's not fair to say that we snagged badly. We are definitely not out ahead and leading, and we seem to be developing some problems in implementing that. I think that's cause for concern, especially in light of the discussion between myself and the minister of health this afternoon about the possibilities for e-health. If we can't get the electronic health records working, we've got a problem. That's part of the realm that is being captured by this legislation.

That's why I'm trying to determine exactly what the government thought they were doing. If they did want separate rules applying here, why did they want that to happen? They have created a situation that I don't think we had in place before, and I'd like to know why the government did that.

Thank you for the opportunity to raise this issue in third reading. I know I'm interested, and I know that others are watching this. In fact, this issue was raised to me during the health innovation symposium in Calgary by someone approaching me and asking if I was aware that this is what was happening in this act and asking me to raise it, and I'm happy to do so because I share their concerns. I look forward to the response. If the member is not able to give it to me before it passes third reading, I would appreciate receiving a written response if there needs to be consultation with counsel to give a legal response for this.

Thank you.

The Acting Speaker: The hon. Member for Highwood to close debate.

Mr. Groeneveld: Thank you, Mr. Speaker. Now, I believe the hon. Member for Edmonton-Centre said that she was not here for

Committee of the Whole. We did try and address the part of what she was asking about on the health act, and I would just like to run this little bit past her and see if this would suffice. If not, we certainly will get back to you on the rest.

The answer at that time was that in Alberta we have a comprehensive framework of privacy protection that applies to personal information in both the public and private sectors. Because of the special character of health information Alberta also has a separate Health Information Act that applies to health information in both the public sector, for example hospitals, and the private sector, for example physicians. What this amendment does is carve out a body of information, health information that is covered by the Health Information Act, and make it clear that PIPA does not apply to that information.

At the same time, the amendment makes it clear that PIPA does apply to any health-related information that is not covered by the Health Information Act. For example, PIPA covers health-related information in an organization's personnel files, medical information requested by an insurance company in Alberta to issue a policy, and records of a psychologist providing privately paid services. The Minister of Health and Wellness agrees with this amendment, and the amendment ensures that there are no gaps in privacy protection and that there are clear rules to which the act applies. I hope that answers the questions.

With that, Mr. Speaker, I would move passage of this bill.

[Motion carried; Bill 8 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 39
Traffic Safety Amendment Act, 2005**

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

Mr. Chase: Thank you, Mr. Chairman. Would it be appropriate to start the circulation of the amendment at this time?

The Deputy Chair: Hon. members, the amendment that is being circulated to you will be referred to as amendment A1.

Hon. Member for Calgary-Varsity, you may proceed.

Mr. Chase: Thank you very much, Mr. Chairman. The original amendment is on the table as we speak, and I'll just give a very quick preamble. The hon. Member for Calgary-North Hill has most certainly done his homework. I am very pleased that he has pretty much everyone onside with this bill. His government members have seen its importance as have members of the opposition.

This bill is wide ranging, but it's primarily about saving lives. I would love to include a cellphone ban while driving within its clauses, but that debate will have to come at some later date, possibly during the fall sitting. I support the majority of the intent of this bill. The key to the bill's success will be strict enforcement.

I mentioned a concern earlier, which needs to be addressed, on the double-whammy effect on the family of having a john's vehicle seized and the potential of driving prostitution underground, where there is the threat of increased violence.

I have a second concern again, which I've previously discussed with the member, but I would look forward to his answer. That has to do with implied consent and the nature of liability when a vehicle is lent by its owner to another driver. What I don't want to see happen or what needs to be addressed is when the owner says, "Okay; you can have my vehicle," and for whatever reason the person gets a speeding ticket, gets involved in an accident, gets pulled over for dangerous driving. Then there's a degree of question of who's responsible in that event. In the case of an accident and somebody's injured, does the driver who lent the vehicle – is it their insurance that covers it? I would hate to think that somebody would get away simply by saying, "You gave consent to me," and they say, "No, I didn't." It's to avoid that argument. So I'm going to sit down and if the hon. member could address that.

10:40

The Deputy Chair: You have to move the amendment for us to even consider it.

Mr. Chase: Sorry. The amendment is on the second portion. That was a question. But I will move the amendment so that we can get it there and it can be part of the ongoing discussion.

I move that Bill 39, Traffic Safety Amendment Act, 2005, be amended in section 15(b) in the proposed section 54(4)(a) by striking out "\$2500" and substituting "\$5000."

Now, should I then speak to the amendment, as to the reasoning behind it?

The Deputy Chair: Hon. member, we are at committee stage. You can rise as many times as you want to speak. It's your choice.

Mr. Chase: Okay. Would you like to address my two questions, and then I'll deal with the amendment?

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

Mr. Magnus: Thank you, Chairman. I understand what the amendment is talking about, and I have had conversation with the Member for Calgary-Varsity about this. I find myself in a bit of a strange position as a Conservative wanting to not raise a fine, because I frankly feel that the fines are related to all the other fines within the Traffic Safety Act. When we set these fine amounts, they're set in conjunction with other parallel, if you like, offences that are of a similar nature or similar gravity.

To increase this from \$2,500 to \$5,000 is not a big step, but on the other hand I'm not sure where you'd go with the second offence. Right now the way the bill actually reads is that for a first offence the fine would be between \$2,500 and \$10,000. That's a minimum to a maximum. The second offence would be \$5,000 to \$20,000. So, again, we'd have to not only move the one; we'd have to move the second part of that.

It's my belief, with the increase in the timetable, that is allowed now to be multiple offences being moved to three years; in other words, if you have two offences within three years as opposed to two offences within a longer period of time, an undisclosed period of time, it would just confuse the issue. So I guess where I am on this one is I would suggest that we not in fact raise this because it's already very steep.

The thought occurs to me that most people who drive without insurance – and that's estimated between 5 and 10 per cent of all drivers on the road. The reason that they're driving without insurance is very straightforward. They can't afford it. Because of that, when you start looking at these fines and the gravity and the

amounts of fines, up to \$20,000 depending on the discretion of the judge, it is indeed a very, very serious fine.

I appreciate what the hon. member is trying to do here. As I say, it's a little incongruous when a Liberal is trying to raise a penalty on a fine as opposed to a Conservative trying to keep it down, but I simply feel, looking at all the other fines that are similar in nature to this, that it's going a bit too far because, again, we're dealing with people who can't afford insurance; ergo, they can't afford a fine, and we're going to throw a lot of people in jail over this.

As far as the implied consent, now, I'm not sure where you were in the bill on the implied consent. Was that in event of a prostitution-related offence or otherwise? I'll take my place and let him clarify that.

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

Mr. Chase: Thank you. Just with regard to the amendment the point of the amendment was to send a very clear message. While I do have concerns about poverty and homelessness and so on, and in the case of a John and their family carless, I feel that there has to be an important message sent. By raising the fine from \$2,500 to \$5,000, we discourage people from playing that game where they think, poverty or otherwise, it's worth the risk.

For young people who are just beginning to drive and all the other requirements, they might be tempted to gamble and say: "Well, it's worth my while, knowing that the fine starts at \$2,500. I'm poor. I'm young. I'll throw myself on the mercy of the court," whereas I believe that if you put it at \$5,000, it's cheaper for a person to seek out that insurance than to potentially play the road roulette game.

With regard to – what was I talking about? – implied consent, it was about lending your vehicle. Not the John circumstance, but you lend your vehicle to somebody. They drive down the highway. They get into trouble. Where's the liability? Who's responsible?

Mr. Magnus: The second part first. If you lend your vehicle to somebody, and they drive down the highway and get into an accident, then the insurance that was on that vehicle still applies.

As far as the amount of the offences, I will add that we're now going from 30 days to 45 days for a first offence and on a second offence from 60 days to six months. That's pretty severe for what is a noncriminal offence.

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

Mr. Chase: Thank you very much. I appreciate the explanation.

I gather, Mr. Chairman, that the next step in this stage is to vote on the amendment, and if we're prepared to do that, I am prepared as well.

[Motion on amendment A1 lost]

[The clauses of Bill 39 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.

Bill 26

Corporate Tax Statutes Amendment Act, 2005

The Deputy Chair: Are there any comments, questions, or amend-

ments to be offered with respect to this bill? The hon. Member for Leduc-Beaumont-Devon.

Mr. Rogers: Thank you, Mr. Chairman. During second reading several questions were asked. The comment was made that the penalties for not complying with the requirement to file a notice of objection seem particularly harsh. Some form of penalty was needed to encourage compliance with this new requirement. The interest penalty for failure to file a notice of objection is 5 per cent of the interest otherwise payable. The interest penalty is capped at \$10,000, but for that amount to apply, the interest otherwise owing by Alberta would have to be at least \$200,000. In some cases we have paid interest in excess of a million dollars, in which case the \$10,000 penalty would represent only 1 per cent of the interest amount. As was noted earlier, the penalty will not apply if the corporation takes the simple step of filing the notice of objection with Alberta.

There was also a question as to what exactly constitutes an arm's-length corporation versus a non arm's-length corporation. The determination of an arm's-length relationship is a question of fact and is governed by provisions of the federal Income Tax Act, which Alberta parallels. The provision in Alberta's act already parallels the corresponding federal provision.

Regarding the question of what is fair market value and how that is determined, assessments of fair market value are based on comparable assets recently transferred on open markets. If a piece of property is transferred, for example, other comparable property transactions would be used to help determine if the transfer was indeed at fair market value.

Questions were also raised, Mr. Chairman, by the Member for Edmonton-Beverly-Clareview about item 5 – and I see he's not here tonight – with respect to this amendment.

Ms Blakeman: Point of order.

The Deputy Chair: Is somebody rising on a point of order?

Ms Blakeman: Yes. I did rise on a point of order.

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

10:50

Point of Order

Referring to the Absence of Members

Ms Blakeman: Thank you very much, Mr. Chairman. It's the tradition of the House that we do not mention whether someone is present or absent in the Chamber.

The Deputy Chair: There was no citation, but you are correct. By convention we do not mention a person's presence or absence.

The hon. Member for Leduc-Beaumont-Devon.

Mr. Rogers: My apologies for my ignorance, Mr. Chairman, and I do apologize to the House and for any mention that was inappropriate.

Debate Continued

Mr. Rogers: With respect to the amendment, we require corporations to inform us when they are reassessed by another jurisdiction if this reassessment means a change to taxable income or taxes payable in Alberta. However, when it is the Canada Revenue Agency that does the reassessment, that agency also sends us a

notice of the change. Many companies are aware of this and do not send the information on their reassessment that they are technically required to send in. With this amendment there would be no penalty for not sending in this information when we get the notice from Canada Revenue and reassess within our one-year window of opportunity for making such a reassessment.

Mr. Chairman, I hope that this addresses the questions that hon. members have raised up to this point, and I would encourage all hon. members to support the bill.

The Deputy Chair: The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Well, thank you very much, Mr. Chairman. I would like to thank the Member for Leduc-Beaumont-Devon for answering the questions that I raised during second reading. I believe that he managed to capture them all, and I do appreciate that very much.

The one thing that he referred to is the income tax refunds. I had asked the Finance minister during the budget debate on Finance about the fact that last year we spent about \$30 million in interest on income tax refunds, and this year it's going to be \$20 million, or at least that's what's forecast in the budget. Mr. Chairman, I'm pleased to say that I did receive a written response back from the Finance minister in regard to that particular question. The Finance minister has always been very prompt in getting back with written responses as she promises to, and I appreciate that.

Her response left me a little puzzled because it talked about the fact that these refunds are unpredictable and that in the past number of years they have totalled as much as \$80 million. It really does cause me to question whether or not we're missing the boat here in some way, that we're allowing ourselves to be in a situation where these refunds on income tax prepayments end up being so terribly high. I know that there are an awful lot of companies in Alberta, and I know that when you spread it out across the companies – in the letter from the minister she refers to the fact that often it's very large corporations involved in the oil and gas industry, and the hon. member a few minutes ago mentioned the fact that in some cases these refunds are very big. I can appreciate that, but it just really causes me to question whether or not there isn't a better way.

I guess the other thing that it does cause me to question as well is: if we're holding, you know, many millions, sometimes up to \$80 million according to the Finance minister – if we're holding that much money that doesn't actually belong to us and has to be refunded at some point, then I am curious as to how that income from that money gets reported and where that goes to. Obviously, we're making income on the money that we're holding while it's in our hands, and we're paying out some interest on that money, you know, when it becomes apparent that the money was overpaid or owed back to the corporation or the taxpayer in some form. So, certainly, I would be interested to hear some response to that, and I'm not sure that I can get it tonight but perhaps when we get to third reading. I'm just curious, as I say, to know where that goes.

As I said in my opening remarks, I do appreciate the efforts on behalf of the hon. member to address the concerns that I raised in second reading. I had indicated back then that I would be supporting this bill. Our stakeholder group was certainly quite in favour of it, and I think I had applauded the ministry back in second reading for the fact that they had done their due diligence in terms of consulting with stakeholders as well.

So with that, Mr. Chairman, I will recommend to my caucus colleagues that we support this bill. I appreciate again the efforts of both the ministry and the Member for Leduc-Beaumont-Devon to provide that information tonight. Thank you.

[The clauses of Bill 26 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.

Bill 35

Employment Pension Plans Amendment Act, 2005

The Deputy Chair: Are there any comments, questions, or amendments to be offered with respect to this bill? Hon. Member for Calgary-Nose Hill, did you want to rise?

Dr. Brown: Thank you, Mr. Chairman. I just stand to make a couple of brief remarks with respect to Bill 35. I understand that the Clerk has a set of amendments. There are two amendments that I would like to move with respect to Bill 35, and these changes address two quite minor drafting errors. I'll just wait a moment until the amendments are circulated.

The Deputy Chair: The amendment that is being circulated before you shall be referred to as amendment A1.

Hon. Member for Calgary-Nose Hill, you may proceed.

Dr. Brown: Thank you, Mr. Chairman. As I was mentioning, these changes address two drafting errors. The first of them is an unintentional duplication of two definitions. The definitions were moved from part 4 of the act to part 1, which contains most of the act's definitions. But inadvertently they were not deleted from part 4, and therefore they appear in both parts. So there's a mere duplication.

The second amendment contains a reference error in the proposed section 77.1. It simply refers to the incorrect subsection.

Thank you.

The Deputy Chair: The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Well, thank you, Mr. Chairman. My only comment would be that I appreciate the fact that the Member for Calgary-Nose Hill actually brought these amendments to my attention last week sometime. So we have had plenty of opportunity to verify that, in fact, the amendments do as he has suggested tonight, and I have no problem with the amendments going forward.

Thank you.

[Motion on amendment A1 carried]

The Deputy Chair: Any further debate on the bill? The hon. Member for Calgary-Nose Hill.

Dr. Brown: Mr. Chairman, I have a few brief remarks with respect to Bill 35. As I stated during the introduction of the legislation, this bill and the amendments contained therein will allow the private-sector pension plan members better access to information and more transparency of the plan's financial status. The legislation also gives the superintendent of pensions more effective ways of ensuring that the pension plans are properly funded. The legislation will provide the superintendent of pensions with more effective ways of monitoring the funding of the private pension plans and strengthen the enforcement powers if problems do arise.

As I said, it focuses on giving plan members better information so that they can see for themselves that the plan is being run properly. It will therefore put them in a better position to monitor their pensions long before any problems may arise. So, Mr. Chairman, these amendments update the act to reflect the changes that are in the pension community.

11:00

I would like to address several questions that were raised by the hon. Member for Edmonton-Rutherford in the April 25 evening sitting. He had questioned why some of the legislation appeared to be moving to regulations. As a matter of fact, I can verify that there were no provisions that are in the current act that are being moved to regulation. In fact, there are certain items, namely some definitions, which are actually being moved from the regulations into the act itself. There are, of course, some details that are to be found in regulation, and this is being done in order to allow better flexibility and also to allow for amendments more frequently than could be expected to be handled in terms of amendments to the act itself. I can assure the hon. member, however, that when the regulations are drafted, the stakeholders are going to be consulted.

The hon. member had also questioned how the superintendent would enforce the requirements that documents would comply with the legislation. The superintendent does require that documents that establish the plan and its arrangements – for example, with the fundholder – are filed with the office of the superintendent. The office of the superintendent reviews these documents and can issue directions for compliance or can obtain a court order if the administrator refuses to amend the documents to comply with the provisions of the act, and it is an offence to contravene the act.

The hon. Member for Edmonton-Rutherford also had asked why it was important to have the documents comply with the act, what sort of documentation it was, how would it not comply with the act, and who might have access to particular documents. Besides the documents that are set out in the terms of the pension plan, there are a number of documents, such as the trust agreement, that assign the responsibility of administration of the plan to a trustee or some company or person or an insurance contract in some cases. In a multi-employer plan there may be a participation agreement that sets out employers' rights and responsibilities, and these documents can deal with the issues for which the Employment Pension Plans Act has standards. They should all be written so as not to cause conflicts.

Of course, there is a statutory provision in the act which would override any term of a trust agreement or any other contract, but the plan administrators and the fundholders and the employers usually use their own plan documents to guide their administrative practices. An example of an illegal provision of a document would be if a trust agreement purported to limit the fundholder's responsibilities and expressly excluded or assigned to someone else the requirement for the fundholder to inform the superintendent if the contributions were not being remitted as required due to the new provisions under section 50. Those documents are filed with the superintendent's office.

The fourth question that the hon. member had asked was: what assurance is there that the employees will be given access to documents, and what remedies might be available to employees? Most administrators do comply with the legislation without any requirement for enforcement, but the superintendent can issue directions for compliance or, alternatively, in an extreme case could apply for a court order. They can also charge a person with an offence under the act if they don't comply with the disclosure provisions, and the superintendent's office produces materials to

educate plan administrators about their responsibilities in that regard.

Another question that was asked: with the requirement that employers have access to pension documents held by a plan administrator, what protection is there against personal information being disclosed? I can answer that the only documents listed in section 15(8.1) are accessible to the employers, and those documents do not include any personal information about plan members.

The hon. member had asked: if there are additional tests, such as stress tests, which were prescribed by the superintendent, would those be applied to all pension plans, and who would decide? The clause is an enabling feature in nature, and the actuarial community has suggested stress tests recently as appropriate measures of pension plan stability. But they're only one example of a type of test that could be done.

Finally, the hon. member had asked how privacy is protected when the superintendent investigates a plan and interviews personnel. If the issue is personal information, the superintendent's office would be subject to the Freedom of Information and Protection of Privacy Act.

I hope that responds to some of the questions.

The Deputy Chair: The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: Well, thank you very much again, Mr. Chairman. I'd like to thank the Member for Calgary-Nose Hill for managing to make his voice heard over some of the heckling from his own members, quite frankly, that was taking place from across the floor. I have to say on the record that I'm quite frankly appalled that in a Legislature where debate is not only expected but, in fact, mandated some members opposite just seem to be in so much of a hurry to get out of here this evening that they won't even allow their own members to speak. In fact, the hon. Member for Calgary-Nose Hill was answering questions that were reasonably asked in debate during second reading, and it was very kind of him to come forward in committee with those questions in an effort to limit the amount of debate that might have to take place tonight.

Mr. Chairman, if the hon. members across the way would like to extend debate tonight, I've been fond of saying since this session began that I'm quite willing to stand here and debate Bill 35 tonight for as long as it takes. If it means bringing in my pyjamas and a pillow and calling some of my hon. colleagues to come back, I'm more than willing to do that. So I would ask for some consideration from the members opposite while both their member responds to my questions and I bring forward my one remaining question on this bill. If we can have that co-operation, perhaps we can all go home a little earlier tonight.

Mr. Chairman, there must not have been an awful lot of heckling on the evening of April 25 because I managed to lose my train of thought when I was asking questions during second reading. Given the fact that we've had approximately three weeks in the interim, I have managed to regain my train of thought, and I'm finding myself with one more question that I would like to ask during the committee stage of this bill.

In section 33 . . .

Mr. Bonko: It's getting late.

Mr. R. Miller: It is getting late, and I might have to get that whip out yet, which was the other thing that we were talking about on the night of April 25, and that's kind of what set me off. Somebody did talk about focusing that night too.

Mr. Chairman, section 33 talks about: if a pension fund is not receiving the appropriate amount of funding, then the trustee must

inform the superintendent. As I had mentioned that evening during second reading, in many cases the reason for a fund not receiving appropriate funding might well be justified. Perhaps there's been a layoff of employees, so there's less money going into the pension plan.

The question that I would have is that while the law is supposed to make the pension more transparent for employees, as near as I understand when I read the bill, the superintendent would not have to notify employees that the pension fund is not being contributed to by the employer. I would look for some clarification on that because if, in fact, that were the case, that would cause me great concern. If the bill does say that the superintendent does have to notify the employee, then I'm comfortable with it.

Really, that was the one question, Mr. Chairman, that I did not have a chance to ask during second reading and I would like addressed now. Beyond that, I'm comfortable to take my seat.

Thank you.

Dr. Brown: Mr. Chairman, section 33 amends section 50 in the act. It might in fact be argued by some that we're putting too much of a burden on fundholders to be whistle-blowers if the employers don't pay their contributions. The fact is that the superintendent really has no other way of finding out if the employer is being delinquent in making the proper contributions to the fund. Fundholders are already used to performing that particular function of monitoring. I note that in Ontario, which has a greater number of pension funds than we have registered here in Alberta, they already require those types of monitoring functions to be carried out by the fundholders.

11:10

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

Ms Blakeman: Thanks very much, Mr. Chairman. I haven't had the opportunity to speak to this bill before. It is a very dense and complicated bill about something that is tremendously meaningful to a lot of people; that is, their pension plan. I have to say that our feedback from interested stakeholder groups has overall been quite positive for what is anticipated in the bill. The hon. Member for Calgary-Nose Hill has really made an effort to answer the questions that my colleague had put on the record. I was going to sort of go through clause by clause and outline what was happening in the bill, but I'm satisfied enough that the objectives are being met, and I believe that it is to enhance what is happening in private-sector pension plans.

We have a ways to go in public-sector pension plans, but I think this has been a good effort to try and do a lot of tidying up and alignment and updating. From what I've seen, I'm particularly happy with the stronger monitoring and the stronger enforcement provisions that are provided here because, again, ultimately, that's what the public expects of us. We are the only ones that are in a position to be able to protect them and to make sure that there are regulations in place, that their best interests are being put forward and that everything possible to protect them is in fact available to them.

[Mr. Mitzel in the chair]

The only section that does not sit quite right with me is the one that's allowing a spouse to claim the pension if someone dies with pension left over, section 26. The act provides a waiver if the dead person wants the money to go to a child from a previous marriage. The spouse must seek independent advice to demonstrate they understand what they're doing. I know that the previous member

representing Calgary-Lougheed had brought in an amendment – I think it was the Member for Calgary-Lougheed – very similar to this, and I'm always uneasy when we allow this sort of thing to happen.

I mean, we spent a lot of time trying to make sure that these provisions were in there to protect spouses, usually women and usually women that hadn't worked for an entire career outside of the home, so they had less pension contributions. That's why we contemplated and worked into law that they would be and are in fact entitled to a share of the working spouse's pension. I'm always uneasy when I see that being dismantled or an out clause being given.

I know that there's been an attempt here to try and make sure that no coercion has taken place, but this is a section that I want to put on record we need to be particularly vigilant about. It's an area that took us a long time to recognize and to get in place, and I'm very uneasy when I see an easing of the requirements being allowed to take place.

As I said, we have consulted with our stakeholders, and they are for the most part supportive of what is in the bill. At this point under the guidance of the critic for the Official Opposition, I am willing to support this bill in Committee of the Whole.

Thank you.

Dr. Brown: I thank the hon. Member for Edmonton-Centre for her comments. The pension, obviously, is a huge asset. It's often the largest asset that a family has, and giving up the survivor's pension would certainly have serious consequences. That's why it's absolutely necessary to make sure that there's some sort of independent legal advice given there before waiving that pension right, recognizing that there is a small price to pay for that service and that it does add a little bit to the complexity. It certainly protects people, especially women, given the fact that they more often than not would outlive their spouses.

I thank you for your comments.

[The clauses of Bill 35 as amended agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Acting Chair: Opposed? It's carried.

Bill 40
Alberta Personal Income Tax
Amendment Act, 2005 (No. 2)

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

Mr. R. Miller: Thank you, Mr. Chairman. I was just wondering if the minister might like to comment on the question that I raised in second reading regarding the lowering of the threshold to \$2,760 and what the rationale might have been for having any entry threshold at all once it becomes that low.

Mrs. McClellan: Well, I'm assuming, then, from the hon. member's comments that he doesn't disagree with lowering the threshold. I think it was a good move. Should we have a threshold at all? Worthy of thought. We'll certainly look at that. We have consid-

ered it important to have some threshold because it really is an employment benefit. It's to assist people that seek employment, encourage them to seek employment, and I would think that would be a helpful thing.

It was done to add more working families. I think, if I remember correctly, it has the ability to increase the numbers by some 15,000, and when we look at this in the future, because I wholeheartedly support the intent of this – I think it's worked well. It's been a great benefit to our low- and middle-income working families, and if we have another look at it, we would look at it. But I think we would always keep some threshold because it is an employment tax credit. As I said, it's to encourage employment to be meaningful to people who can gain employment albeit maybe at a lower level. [A beeper sounded]

The Acting Chair: The hon. Member for Edmonton-Rutherford.

Mr. R. Miller: That little buzzer didn't mean that you had to sit down, hon. minister. Nevertheless, you sat down.

Mr. Chairman, thank you. One other comment, I guess, I would like to make. I agree with the hon. minister. I am pretty much in wholehearted agreement with the intention of this act and what it does. The one comment I would like to make. The government press release or in the act – I can't remember which – trumpets the fact that Alberta families do not have to apply for the credit; rather, it's done automatically through their federal tax returns.

11:20

I would like to point out that we just debated Bill 26, where we mandated that Alberta companies have to take an act in terms of notifying the Alberta government of something instead of that information coming back from the federal government. Here, in this case, we're relying on the federal government to get us information back. I like it this way. I said that when we debated Bill 26.

I would just encourage us in the future to co-operate however we can with the federal government to take the onus off, in this case, Alberta families but also small Alberta businesses rather than us, being the Alberta taxpayer, having to do that work, to rely on the federal government and some of the hard-earned tax dollars that we give them, to get them to do some of the work and get that information back to us.

I'm appreciative of the fact that we're not asking families to do it in this case, and I certainly would hope that in future instances we don't ask Alberta businesses to have that responsibility either.

Thank you.

[The clauses of Bill 40 agreed to]

[Title and preamble agreed to]

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

Hon. Members: Agreed.

The Acting Chair: Opposed? That's carried.

I recognize the hon. Government House Leader.

Mr. Hancock: Thank you, Mr. Chairman. Given the excellent work that's been accomplished this evening and today and given the record-breaking motion moved by yourself earlier as we approved the estimates of the Department of Health and Wellness this evening, the largest motion ever moved for supply I think in the history of this House, I would move that we rise and report bills 39, 26, 35, and 40.

[Motion carried]

[Mr. Mitzel in the chair]

Mr. Shariff: Mr. Speaker, the Committee of the Whole has had under consideration certain bills. The committee reports the following bills: Bill 39, Bill 26, Bill 40. The committee reports the following bill with some amendments: Bill 35. I wish to table copies of all amendments considered by the Committee of the Whole on this date for the official records of the Assembly.

The Acting Speaker: 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. In light of the hour I'd move that we adjourn until 1:30 p.m. tomorrow.

[Motion carried; at 11:24 p.m. the Assembly adjourned to Thursday at 1:30 p.m.]

